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CHRONOLOGY

<u>Date</u>	<u>Action</u>
September 26, 1945	Forsling Writes Assistant Secretary Chapman
December 20, 1945	President Truman approves Reorganization Act of 1945
	President Truman instructs Bureau of Budget
December 26, 1945	Bureau of Budget calls for Reorganization recommendations
January 10, 1946	Department Committee recommends reorganizations; Secretary Harold Ickes disapproves consolidation of General Land Office and Grazing Service
January 16, 1946	Forsling recommends transfer of Section 15 lands to Grazing Service
January 24, 1946	Secretary Ickes transmits reorganization proposals including consolidation of General Land Office and Grazing Service
January 25, 1946	Assistant Secretary Oscar Chapman asks Bureaus and Offices for reorganization recommendations
January 28, 1946	Secretary Ickes authorizes circulation of plans within the Department of the Interior and requires bureaus to prepare detailed justifications
May 16, 1946	President Truman sends Reorganization Plan No. 3 to Congress

May 27, 1946

Representative Pittenger introduces non-concurrence resolution as House Concurrent Resolution 154 79 the Cong. 2nd Session.

May 29, 1946

Senator McCarran introduces non-concurrence resolution as Senate Concurrent Resolution 66 79th Cong. 2nd Sess.

June 24, 1946

Representative Judd filed House Report 79th Cong. 2nd Sess., 2328 favoring resolution of non-concurrence

House debated and passed resolution of non-concurrence

July 9, 1946

Senator McCarran filed Senate Report 1672, 79th Cong. 2nd Sess., favoring non-concurrence

July 13, 1946

Senate debates Senate resolution, votes down House Concurrent Resolution 154 expressing disapproval, postpones Senate Concurrent Resolution 66 indefinitely

July 16, 1946

By terms of the Reorganization Act Plan No. 3 takes effect

INTERIOR DEPT.
SEP 27 1945

ASST. SECRETARY

UNITED STATES
DEPARTMENT OF THE INTERIOR
GRAZING SERVICE
WASHINGTON

ADDRESS ONLY
THE DIRECTOR, GRAZING SERVICE

September 26, 1945.

Confidential

MEMORANDUM for Assistant Secretary Chapman.

The attached memorandum sets forth my views on the steps with reference to the reorganization of the Grazing Service and the General Land Office that I feel should be taken at this time. It proposes that

(1) Certain activities and functions, including the administration of section 15, the administration, protection, and management of other surface resources than forage in grazing districts and on section 15 lands, and certain other activities, be transferred to the Grazing Service;

(2) Primary responsibility for examination and classification of land under sections 7, 8, and 14 of the Taylor Act be assigned to the General Land Office; and

(3) Better cooperation and coordination be effectuated and maintained between the two bureaus.

I believe that my proposed changes would remedy the worst of the present situation.

CL Taylor
Director of Grazing.

Attachment.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GRAZING SERVICE
WASHINGTON

REPLY REFER TO:
ADDRESS ONLY
THE DIRECTOR, GRAZING SERVICE

Confidential

September 26, 1945.

MEMORANDUM for Assistant Secretary Chapman.

The reorganization of the Grazing Service and the General Land Office to unify the handling of certain functions in a manner to strengthen the conservation program in the Department and reduce overlapping and duplication of activities has been discussed in your office on a number of occasions recently. This reorganization may be accomplished by redistribution of functions—(1) within a consolidated agency or (2) in two agencies separated as at present. It is not the purpose of this memorandum to discuss the merits of a consolidation or of retaining two agencies, or the reasons why a redistribution of functions or reorganization is needed. Its purpose is to propose certain immediate action that would be in line with either course of reorganization, to help solve some of the more immediate problems.

The aim in either course of reorganization would be to associate the major functions pertaining to management of the surface resources in one group, either within a combined Bureau or in a separate Bureau, and the major functions relating to land transactions, adjudication, records, cadastral engineering, et cetera in another group. In my opinion it is premature to effectuate the entire reorganization, whether with or without consolidation of Bureaus, at present.

Among my reasons for concluding that complete reorganization now is premature are: (1) The Grazing Service is far from "over the hill" on the preliminary job of distribution of grazing privileges, allotment of the range and getting sound resource management under way. The unavoidable disruption incident to complete reorganization at this time would seriously handicap the necessary current program in administration of grazing districts. Piecemeal reorganization would have no serious adverse effects but would strengthen the program. (2) Complete reorganization would undoubtedly be misunderstood and objected to in the West, whereas there is great likelihood of less misunderstanding and objection to the partial reorganization. I am confident that reorganization can best be accomplished by the transfer of a few specific functions or activities at a time over a period of a year or two.

The changes which I have to propose should be made immediately and while they would be one step in any reorganization plan, were complete reorganization not to be done, the proposed changes would remedy the worst of the present situation. Moreover, the proposed cooperation between the General Land Office and the Grazing Service would be helpful.

The Grazing Service is completing a study of internal reorganization which thus far appears to clearly indicate that the present nine regions should be consolidated into five regions immediately, and that the Director's Office should be returned to Washington. The proposed consolidation of Grazing Service regions conforms to tentative plans for combined Grazing Service--General Land Office regions and further would place the Grazing Service in a better position to take over the functions outlined in this memorandum.

Therefore, and for further reasons stated later in this memorandum, I recommend that pending the final reorganization, the transfer of activities and the development of cooperation between the Grazing Service and the General Land Office be effected immediately as follows:

A. Transfer to the Grazing Service certain functions and activities pertaining to the so-called public domain lands in the Western States (excludes O & C and Alaska), now being handled by the General Land Office, as follows:

1. Administration of Section 15 of the Grazing Act.
2. Administration of stock-driveways outside of grazing districts.
3. Administration of timber resources both inside and outside of grazing districts, including free-use and sales of timber and wood.
4. Protection of resources from fire (except coal fires), insects and disease, both inside and outside of grazing districts.
5. Control of trespass (except those relating to minerals) both inside and outside of grazing districts.
6. Administration of special and temporary uses, other than use of forage and timber resources such as State and local rifle ranges, ski lifts, bee stands, 5-acre leases, et cetera, both inside and outside of grazing districts.
7. The administration of soil and moisture activities on lands outside of grazing districts.
8. The administration of leasing for grazing purposes on reclamation withdrawals, et cetera, outside of grazing districts now being handled by the General Land Office.

B. Transfer to the General Land Office:

1. Full responsibility for examination and classification of land under section 7 of the Grazing Act, provided that the Grazing Service will make the determinations and submit recommendations with regard to the effect the approval of an application for rights-of-way, state selections other than exchanges, homesteads, and other disposals of land, et cetera, will have on the administration or value of the remaining public land in a grazing district or section 15 lease for grazing purposes.

This determination by the Grazing Service is necessary in its land and resource management. Its recommendation will state whether the lands should be retained in aid of conservation or development of the natural resources, including watershed protection. In cases of rights-of way, stipulations for fences, underpasses, cattle guards, bridges, et cetera, will be enumerated which are essential in area-management, or administration. The comments and recommendations of the Grazing Service will state the estimated grazing capacity of the lands involved and point out the effect such elimination from a district or section 15 unit would have upon the existing license, permit, or lease.

2. Primary responsibility for examination and classification in connection therewith and the consummation of exchanges under section 8 of the Grazing Act and other exchange legislation. The Grazing Service in connection with exchanges will make the necessary determinations involving field examination where necessary and submit recommendations concerning the effect of the proposed selection or acquisition on the administration or value of the remaining public land in a grazing district or section 15 lease for grazing purposes. The report of the Grazing Service will be based upon the knowledge of the local administrative officer of the district involved, the land plans made for the district or unit, the preliminary negotiations that have been had in connection with the proposal, with due consideration being given to the fire plans, the improvement plans, and the administrative problems of the district or unit.

The Grazing Service will make grazing capacity determinations of both the offered and selected lands in exchange cases and of the selected land in selection cases and determine general exchange and selection plans for the betterment of the area and management of the surface resources, including watershed protection fire prevention, suppression, and range improvement.

- C. Cooperation - In view of the involved relationship between the administration and development of the land for grazing, timber, watershed protection and similar purposes and the disposal of land under the land laws and in order to avoid embarrassment to either agency or the Department, it is necessary for the Grazing Service and the General Land Office to work under the closest cooperation in all of these matters. All matters should be reconciled as they develop. Each agency should keep the other fully informed of what it is proposing or planning as it relates to tenure of land, so as to avoid any conflicts of purpose. This can best be accomplished by frequent consultation between the responsible representatives of both agencies in the field and adequate exchange of knowledge and views as may be necessary to promote unified approach and action.

The immediate need for the foregoing proposed reassignment of duties and functions is prompted by the pending action possibly to lift the withdrawal of the 19 million acres in Nevada, in order that these lands may be leased under section 15 of the Grazing Act. There is general agreement in the Department that the better course would be to include the 19 million acres in Nevada in grazing districts. However, the establishment of grazing districts has been objected to by the local people and the present plan, if the local people do not approve the establishment of grazing districts in the near future, is to lift the withdrawal in order to provide the opportunity for these lands to be placed under management by leasing them under section 15.

The leasing under present procedure of large tracts in Nevada will immediately prompt a demand for eliminating established districts or parts of districts in many places, in order that the land may be leased under section 15. Once started this demand will be difficult to control. To expand in large areas where public land predominates along the lines of section 15, which was intended to apply primarily to scattered or isolated tracts, at the expense of already established districts is to disregard or exceed, if not to defeat, the intent and authority of most of the other provisions of the Grazing Act and would be contrary to the policy of the Department.

Leasing of lands suitable for grazing districts under present section 15 procedure undoubtedly would be preferred by a good many of the range users for a number of reasons. Leasing under present procedure provides control by the lessee of a specific area for a specific period of years. There is now a feeling among the stockmen that once a section 15 lease is granted ^{the lessee} may use and control the range pretty much as he sees fit, providing he pays the fee. As a matter of fact, the number of stock and seasons of use are now almost entirely at the discretion of the lessee. The terms regarding conservation practices, as now written into leases, are difficult of enforcement by the Department. Violations of provisions to the effect that the contract may be terminated if there is overgrazing or other damage to the land especially in the early or insidious stage often is difficult to prove because it must rest on expert findings.

On the other hand there are a number of reasons why the administration of public grazing land, except where it consists predominantly of scattered or isolated tracts, in the public interest should be administered as grazing districts. The permit system used in the grazing districts offers a much greater opportunity for protecting the resources. Under it the Department can regulate the use so as to prevent injury in the first instance.

Section 15 has an important part to play in the administration of land not suitable for grazing districts. However, under the present leasing procedure the Department cannot, at least without much difficulty, take action to correct damage to the surface resources until after the damage has been done. It is more difficult under the leasing system than under the permit system to provide ample safeguards for the protection, use, and development of resources other than grazing, such as wildlife, timber or woodlands, recreational use,

soil and water conservation activities, and to work out desirable adjustments in range allotments, et cetera. In brief, the permit system provides much greater flexibility and greater opportunity for the proper protection and development of all the resources in areas other than where the public land consists of small or broken tracts than does the leasing system as now practiced.

Another reason why assigning administration of section 15 leases and of grazing districts in separate agencies leads to difficulties, is that it provides the opportunity for playing one agency against another to the disadvantage of the best public interest. There is some opposition to grazing district administration on the part of some users brought about by their resistance to regulation and conservation in the broad public interest. This situation would be made more difficult if large areas are to be leased in Nevada.

In any event I can find no reason for the Department maintaining widely different systems and procedures for the administration of practically identical land in the same area as would be the case if the 19 million acres in Nevada were to be made available for leasing under section 15 and the remainder of the State is retained in grazing districts. The obvious solution, if there is to be leasing under section 15 of other than isolated tracts, is to modify the procedure for leasing such lands to bring leasing as nearly as possible into complete conformity with the policy and procedure now being followed in grazing districts.

The closer coordination of policy and administration of land in grazing districts and under section 15, as well as defeating the tendency to play one system against the other, can best be accomplished by transferring the administration of section 15 to the Grazing Service. It is a logical sequence, too, if the administration of section 15 is transferred to the Grazing Service for the other activities outlined above to be transferred at the same time in the interest of efficiency and economy. The administration, protection, and management of the timber, soil, and surface resources other than forage in grazing districts and section 15 lands are an integral part of the administration for grazing purposes and it would simplify and strengthen their management to have them all handled by one agency.

The transfer of the activities and functions recommended should be accomplished immediately in preparation for the possible lifting of the withdrawal of the 19 million acres in Nevada, a matter which the Department is expected to decide this fall.

P. J. Sordling
Director of Grazing.

To provide for the reorganization of Government agencies, and for other purposes.

December 20, 1945
[H. R. 4129]
[Public Law 263]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SHORT TITLE

SECTION 1. This Act may be cited as the "Reorganization Act of 1945".

Reorganization Act
of 1945.

NEED FOR REORGANIZATIONS

SEC. 2. (a) The President shall examine and from time to time reexamine the organization of all agencies of the Government and shall determine what changes therein are necessary to accomplish the following purposes:

Examination of
agencies; purposes.

- (1) to facilitate orderly transition from war to peace;
- (2) to reduce expenditures and promote economy, to the fullest extent consistent with the efficient operation of the Government;
- (3) to increase the efficiency of the operations of the Government to the fullest extent practicable within the revenues;
- (4) to group, coordinate, and consolidate agencies and functions of the Government, as nearly as may be, according to major purposes;
- (5) to reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies or functions thereof as may not be necessary for the efficient conduct of the Government; and
- (6) to eliminate overlapping and duplication of effort.

(b) The Congress declares that the public interest demands the carrying out of the purposes specified in subsection (a) and that such purposes may be accomplished in great measure by proceeding under the provisions of this Act, and can be accomplished more speedily thereby than by the enactment of specific legislation.

Declaration of Congress.

(c) It is the expectation of the Congress that the transfers, consolidations, coordinations, and abolitions under this Act shall accomplish an over-all reduction of at least 25 per centum in the administrative costs of the agency or agencies affected.

Reduction of administrative costs.

REORGANIZATION PLANS

SEC. 3. Whenever the President, after investigation, finds that—

Findings by the
President.

- (1) the transfer of the whole or any part of any agency, or of the whole or any part of the functions thereof, to the jurisdiction and control of any other agency; or

(2) the abolition of all or any part of the functions of any agency; or

(3) the consolidation or coordination of the whole or any part of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof; or

(4) the consolidation or coordination of any part of any agency or the functions thereof with any other part of the same agency or the functions thereof; or

(5) the abolition of the whole or any part of any agency which agency or part does not have, or upon the taking effect of the reorganizations specified in the reorganization plan will not have, any functions,

Preparation of reorganization plan and transmittal to Congress.

Delivery.

is necessary to accomplish one or more of the purposes of section 2 (a), he shall prepare a reorganization plan for the making of the transfers, consolidations, coordinations, and abolitions, as to which he has made findings and which he includes in the plan, and transmit such plan (bearing an identifying number) to the Congress, together with a declaration that, with respect to each transfer, consolidation, coordination, or abolition referred to in paragraph (1), (2), (3), (4), or (5) of this section and specified in the plan, he has found that such transfer, consolidation, coordination, or abolition is necessary to accomplish one or more of the purposes of section 2 (a). The delivery to both Houses shall be on the same day and shall be made to each House while it is in session. The President, in his message transmitting a reorganization plan, shall specify with respect to each abolition of a function specified in the plan the statutory authority for the exercise of such function.

OTHER CONTENTS OF PLANS

SEC. 4. Any reorganization plan transmitted by the President under section 3—

Designation of affected agency.

(1) shall change, in such cases as he deems necessary, the name of any agency affected by a reorganization, and the title of its head; and shall designate the name of any agency resulting from a reorganization and the title of its head;

Heads and assistant heads of agencies.

(2) may include provisions for the appointment and compensation of the head and one or more assistant heads of any agency (including an agency resulting from a consolidation) if the President finds, and in his message transmitting the plan declares, that by reason of transfers, consolidations and coordinations made by the plan, the responsibilities and duties of such head are of such nature as to require such action. The head so provided for may be an individual or may be a commission or board with two or more members. In the case of any such appointment the term of office shall not be fixed at more than four years, the compensation shall not be at a rate in excess of \$10,000 per annum, and, if the appointment is not under the classified civil service, it shall be by the President, by and with the advice and consent of the Senate;

Transfer of records, property, and personnel.

(3) shall make provision for the transfer or other disposition of the records, property, and personnel affected by any transfer, consolidation, coordination, or abolition;

Transfer of funds.

(4) shall make provision for the transfer of such unexpended balances of appropriations available for use in connection with any function or agency transferred, consolidated, or coordinated, as he deems necessary by reason of the transfer, consolidation, or coordination for use in connection with the transferred, consolidated, or coordinated functions, or for the use of the agency to

which the transfer is made, but such unexpended balances so transferred shall be used only for the purposes for which such appropriation was originally made;

(5) shall make provision for winding up the affairs of any agency abolished.

Restriction.

Abolished agency.

LIMITATIONS ON POWERS WITH RESPECT TO REORGANIZATIONS

SEC. 5. (a) No reorganization plan shall provide for, and no reorganization under this Act shall have the effect of—

Limitations.

(1) abolishing or transferring an executive department or all the functions thereof or establishing any new executive department; or

(2) changing the name of any executive department or the title of its head, or designating any agency as "Department" or its head as "Secretary"; or

(3) continuing any agency beyond the period authorized by law for its existence or beyond the time when it would have terminated if the reorganization had not been made; or

(4) continuing any function beyond the period authorized by law for its exercise, or beyond the time when it would have terminated if the reorganization had not been made, or beyond the time when the agency in which it was vested before the reorganization would have terminated if the reorganization had not been made; or

(5) authorizing any agency to exercise any function which is not expressly authorized by law at the time the plan is transmitted to the Congress; or

(6) imposing, in connection with the exercise of any quasi-judicial or quasi-legislative function possessed by an independent agency, any greater limitation upon the exercise of independent judgment and discretion, to the full extent authorized by law, in the carrying out of such function, than existed with respect to the exercise of such function by the agency in which it was vested prior to the taking effect of such reorganization; except that this prohibition shall not prevent the abolition of any such function; or

(7) increasing the term of any office beyond that provided by law for such office.

(b) No reorganization plan shall provide for any reorganization affecting any agency named below in this subsection; except that this prohibition shall not apply to the transfer to such agency of the whole or any part of, or the whole or any part of the functions of, any agency not so named. No reorganization contained in any reorganization plan shall take effect if the reorganization plan is in violation of this subsection. The agencies above referred to in this subsection are as follows: Interstate Commerce Commission, Federal Trade Commission, Securities and Exchange Commission, National Mediation Board, National Railroad Adjustment Board, and Railroad Retirement Board.

Agencies exempted from reorganization plan.

(c) No reorganization plan shall provide for any reorganization affecting any civil function of the Corps of Engineers of the United States Army, or of its head, or affecting such Corps or its head with respect to any such civil function. No reorganization contained in any reorganization plan shall take effect if the reorganization plan is in violation of this subsection.

U. S. Army Corps of Engineers, civil functions.

(d) No reorganization plan shall provide for a reorganization affecting any agency named below in this subsection if it also provides for a reorganization which does not affect such agency; except that this prohibition shall not apply to the transfer to such agency of the

Restriction as to type of reorganization plan.

whole or any part of, or the whole or any part of the functions of, any agency not so named. No reorganization contained in any reorganization plan shall take effect if the reorganization plan is in violation of this subsection. The agencies above referred to in this subsection are as follows: Federal Communications Commission, Federal Deposit Insurance Corporation, United States Tariff Commission, and Veterans' Administration.

Status of certain agencies.

(e) If, since January 1, 1945, Congress has by law established the status of any agency in relation to other agencies or transferred any function to any agency, no reorganization plan shall provide for, and no reorganization under this Act shall have the effect of, changing the status of such agency in relation to other agencies or of abolishing any such transferred function or providing for its exercise by or under the supervision of any other agency.

Time limitation.

(f) No reorganization specified in a reorganization plan shall take effect unless the plan is transmitted to the Congress before April 1, 1948.

TAKING EFFECT OF REORGANIZATIONS

Effective date.

SEC. 6. (a) The reorganizations specified in the plan shall take effect in accordance with the plan upon the expiration of the first period of sixty calendar days, of continuous session of the Congress, following the date on which the plan is transmitted to it; but only if, between the date of transmittal and the expiration of such sixty-day period there has not been passed by the two Houses a concurrent resolution stating in substance that the Congress does not favor the reorganization plan.

(b) For the purposes of subsection (a)—

(1) continuity of session shall be considered as broken only by an adjournment of the Congress sine die; but

Computation of sixty-day period.

(2) in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain; except that if a resolution (as defined in section 202) with respect to such reorganization plan has been passed by one House and sent to the other, no exclusion under this paragraph shall be made by reason of adjournments of the first House taken thereafter.

Pub. p. 618.

Provisions of plan; when operative.

(c) Any provision of the plan may, under provisions contained in the plan, be made operative at a time later than the date on which the plan shall otherwise take effect.

DEFINITION OF "AGENCY"

SEC. 7. When used in this Act, the term "agency" means any executive department; commission, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government. Such term does not include the Comptroller General of the United States or the General Accounting Office, which are a part of the legislative branch of the Government.

MATTERS DEEMED TO BE REORGANIZATIONS

SEC. 8. For the purposes of this Act any transfer, consolidation, coordination, abolition, change or designation of name or title, disposition, winding up of affairs, or provision for the appointment and compensation of the head or assistant heads of an agency, referred to in section 3 or 4, shall be deemed a "reorganization".

SAVING PROVISIONS

SEC. 9. (a) (1) Any statute enacted, and any regulation or other action made, prescribed, issued, granted, or performed, in respect of or by any agency or function transferred to, or consolidated or coordinated with, any other agency or function under the provisions of this Act, before the effective date of such transfer, consolidation, or coordination, shall, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law, have the same effect as if such transfer, consolidation, or coordination had not been made; but where any such statute, regulation, or other action has vested functions in the agency from which the transfer is made under the plan, such functions shall, insofar as they are to be exercised after the transfer, be considered as vested in the agency to which the transfer is made under the plan.

Applicability of existing law, regulations, etc.

(2) As used in paragraph (1) of this subsection the term "regulation or other action" means any regulation, rule, order, policy, determination, directive, authorization, permit, privilege, requirement, designation, or other action.

"Regulation or other action."

(b) No suit, action, or other proceeding lawfully commenced by or against the head of any agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of the taking effect of any reorganization under the provisions of this Act, but the court may, on motion or supplemental petition filed at any time within twelve months after such reorganization takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, allow the same to be maintained by or against the successor of such head or officer under the reorganization so effected or, if there be no such successor, against such agency or officer as the President shall designate.

Suits, proceedings, etc.

UNEXPENDED APPROPRIATIONS

SEC. 10. The appropriations or portions of appropriations unexpended by reason of the operation of this Act shall not be used for any purpose, but shall be impounded and returned to the Treasury.

PRINTING OF REORGANIZATION PLANS

SEC. 11. If the reorganizations specified in a reorganization plan take effect, the reorganization plan shall be printed in the Statutes at Large in the same volume as the public laws, and shall be printed in the Federal Register.

TITLE II

SEC. 201. The following sections of this title are enacted by the Congress:

Concurrent resolutions; rules.

(a) As an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in section 202); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

Applicability.

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

Modification.

"Resolution."

SEC. 202. As used in this title, the term "resolution" means only a concurrent resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress does not favor the reorganization plan numbered transmitted to Congress by the President on , 19 ," the blank spaces therein being appropriately filled; and does not include a concurrent resolution which specifies more than one reorganization plan.

Reference of resolution to committee.

SEC. 203. A resolution with respect to a reorganization plan shall be referred to a committee (and all resolutions with respect to the same plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

Procedure for discharge of committee.

SEC. 204. (a) If the committee to which has been referred a resolution with respect to a reorganization plan has not reported it before the expiration of ten calendar days after its introduction (or, in the case of a resolution received from the other House, ten calendar days after its receipt), it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such reorganization plan which has been referred to the committee.

(b) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same reorganization plan), and debate thereon shall be limited to not to exceed one hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(c) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same reorganization plan.

Procedure for consideration of resolution.

SEC. 205. (a) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a reorganization plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

Time limitation on debate.

(b) Debate on the resolution shall be limited to not to exceed ten hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

Motion to postpone.

SEC. 206. (a) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a reorganization plan, and all motions to proceed to the consideration of other business, shall be decided without debate.

Appeals from decisions of Chair.

(b) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

Procedure when resolution received from other House.

SEC. 207. If, prior to the passage by one House of a resolution of that House with respect to a reorganization plan, such House receives

from the other House a resolution with respect to the same plan, then—

(a) If no resolution of the first House with respect to such plan has been referred to committee, no other resolution with respect to the same plan may be reported or (despite the provisions of section 204 (a)) be made the subject of a motion to discharge.

(b) If a resolution of the first House with respect to such plan has been referred to committee—

(1) the procedure with respect to that or other resolutions of such House with respect to such plan which have been referred to committee shall be the same as if no resolution from the other House with respect to such plan had been received; but

(2) on any vote on final passage of a resolution of the first House with respect to such plan the resolution from the other House with respect to such plan shall be automatically substituted for the resolution of the first House.

Approved December 20, 1945.

[CHAPTER 583]

AN ACT

To provide for the appointment of representatives of the United States in the organs and agencies of the United Nations, and to make other provision with respect to the participation of the United States in such organization.

December 20, 1945
[S. 1524]
[Public Law 204]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United Nations Participation Act of 1945".

Short title.

SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a representative of the United States at the seat of the United Nations who shall have the rank and status of envoy extraordinary and ambassador plenipotentiary, shall receive annual compensation of \$20,000, and shall hold office at the pleasure of the President. Such representative shall represent the United States in the Security Council of the United Nations and shall perform such other functions in connection with the participation of the United States in the United Nations as the President may from time to time direct.

U. S. representative
at seat of United
Nations.

Duties.

(b) The President, by and with the advice and consent of the Senate, shall appoint a deputy representative of the United States to the Security Council who shall have the rank and status of envoy extraordinary and minister plenipotentiary, shall receive annual compensation of \$12,000, and shall hold office at the pleasure of the President. Such deputy representative shall represent the United States in the Security Council of the United Nations in the event of the absence or disability of the representative.

Deputy representa-
tive to Security Coun-
cil.

(c) The President, by and with the advice and consent of the Senate, shall designate from time to time to attend a specified session or specified sessions of the General Assembly of the United Nations not to exceed five representatives of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Assembly. One of the representatives shall be designated as the senior representative. Such representatives and alternates shall each be entitled to receive compensation at the rate of \$12,000 per annum for such period as the President may specify, except that no member of the Senate or House of Representatives or officer of the United States who is designated under this subsection as a representative of the United States or as an alternate to attend any specified session or specified sessions of the General Assembly shall be entitled to receive such compensation.

Representatives and
alternates for sessions
of General Assembly.

THE WHITE HOUSE
WASHINGTON

December 20, 1945

My dear Mr. Smith:

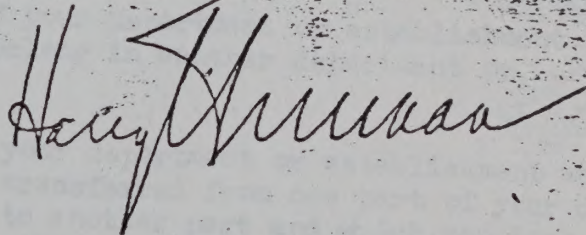
Under the provisions of the Reorganization Act of 1945, which I have signed today, we have an exceptional opportunity for improving the organization and administration of the Executive branch of the Government.

Under this Act, the President is directed to prepare and transmit to the Congress reorganization plans which will group, consolidate, and coordinate agencies and functions of the Government, for the purpose of increasing efficiency, reducing expenditures, and facilitating orderly transition from war to peace.

In view of the broad experience of the Bureau of the Budget in dealing with problems of over-all Government organization, including reorganization actions under the 1939 Act, and, subsequently, the organization of war agencies, I am asking you to take the lead in preparing for my consideration the reorganization plans necessary to carry out the provisions of the Reorganization Act of 1945. I suggest that you obtain the recommendations of the heads of all departments and establishments to which this Act applies and that you review these recommendations in preparing the plans which you submit to me. I shall want to keep in close touch with the development of these plans.

In preparing those reorganization proposals which involve reconverting the war agencies, you should collaborate with the Director of War Mobilization and Reconversion, who has general responsibility for guiding the reconversion program of the Government.

Very sincerely yours,

A handwritten signature in dark ink, appearing to read "Harry Truman", with a long, sweeping horizontal stroke extending to the right.

Honorable Harold D. Smith,
Director,
Bureau of the Budget,
Washington, D.C.

EXECUTIVE OFFICE OF THE PRESIDENT
Bureau of the Budget
Washington 25, D. C.

✓ BULLETIN NO. 1945-46:15

December 26, 1945

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

SUBJECT: Recommendations for Action under Reorganization Act of 1945

The passage of the Reorganization Act of 1945 affords an unusual opportunity for improving the administration of the Executive Branch of the Government. The Act makes possible a variety of types of adjustments including:

The transfer or consolidation of functions, agencies, or parts of agencies;

The transfer or consolidation of functions or units within departments and establishments; and

The abolition of functions and of agencies or parts of agencies.

To enable him to deal with reorganization problems in an orderly manner, the President in a letter dated December 20 (copy attached) directed me to assemble and review for him the recommendations of the heads of the various departments and establishments as to actions which should be taken. Accordingly, I should like to obtain your recommendations, together with drafts of suitable reorganization provisions and statements of the reasons therefor, on the following (insofar as the act applies to your agency):

1. The functions of your department or establishment which should be abolished;
2. The functions, agencies, or parts of agencies which properly should be transferred to your department or establishment;
3. The functions and units of your department or establishment which more appropriately belong in another department or establishment; and
4. The functions or units of your department or establishment which should be consolidated or transferred from one part of your department or establishment to another part and which you lack statutory authority to consolidate or transfer.

I urge that particular consideration be given to internal adjustments which you do not have authority to make but which could be proposed by the President under the Reorganization Act. In many cases,

the Act opens the way for desirable changes in internal administration which have not been within the authority of the agency head, such as the elimination of obsolete offices and activities now required by law, improvements in the internal organization prescribed by statute, and changes in the distribution of statutory powers among officers of the agency or between subordinates and the head of the agency.

To facilitate the action of the President under the Reorganization Act, I should like to obtain your reply by January 25. However, I urge that continuing study be given to the matters indicated above so that the maximum benefits may be obtained from the Act before it expires.

Handwritten signature: Howard P. Smith
Director

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C.

Attachment

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY

WASHINGTON

JAN 10 1946

MEMORANDUM for the Secretary.

Messrs. Gardner, Goldschmidt, Muck, Northrup, Straus, Wolfsohn, and I have considered the proposals which the Department should make to the Bureau of the Budget under the Reorganization Act of 1945, pursuant to the request of the Director of the Bureau of the Budget in the Bulletin of December 26, 1945.

I. We recommend that the Department submit the following proposals for inclusion in the general reorganization plan to be laid before the Congress:

Transfer of Agencies to This Department

1. Transfer to this Department of the Forest Service, the Rural Electrification Administration, and certain functions of the Coast and Geodetic Survey.

Plans and justifications for the transfer of these agencies are in preparation in accordance with your instructions.

2. Transfer to this Department of the functions of the Secretary of Agriculture under the "Water Facilities Act" and the "Water Conservation and Utilization Act," both as amended by the "Wheeler Case Act."

This transfer would centralize in this Department the functions of providing facilities for water conservation, storage, and utilization in arid and semi-arid areas, and the administration of such facilities.

Approved: ✓

Disapproved:

3. (a) Transfer to this Department of the Naval petroleum reserves.

(b) Transfer to this Department of the functions of all agencies relating to the administration and disposition of mineral deposits owned or controlled by the United States, with the provision that the head of the agency having jurisdiction of land must consent to the opening of such land to mineral exploitation.

These transfers would centralize in this Department the administration of mineral deposits Federally owned.

Approved: ✓

Disapproved:

Transfer of Agencies and Functions from This Department

4. Transfer of the administration of the Connolly Hot Oil Act to the Department of Justice.

This transfer would permit the Department to divest itself of the administration of a penal statute. The transfer of this function would

contemplate the absorption of the Petroleum Conservation Division by a new office of Assistant to the Secretary in Charge of Mineral Utilization. The new Assistant would be a counterpart of the Assistant to the Secretary in Charge of Land Utilization.

Approved: ✓

Disapproved: ~~_____~~

Internal Reorganization

5. There should be included in the reorganization plans express authority for the Secretary of the Interior to establish the operations of the Department on a regional basis to the extent that he should from time to time deem advisable.

The Department has long considered plans for the consolidation of Departmental activities in the field upon a regional basis; these proposals have varied from minor improvements to a thorough-going regionalization of the Department's activities. We have accepted three propositions as those which must guide the solution of this problem. First, the Department in the comparatively near future must take vigorous steps to prevent duplication of work in the field, to establish unified administration on the ground, and to permit a larger proportion of the Department's business to be disposed of in the field. Second, it is impossible as a practical matter to accomplish over night the full reorganization which experience might indicate to be desirable. Third, the present reorganization act offers an unexampled opportunity to obtain the statutory authority which you need to do the job. We therefore recommend that broad and flexible authority be given you to work in this direction, and that you act under this authority with as much speed and to as great an extent as should seem to you from time to time to be desirable.

Approved: ✓

Disapproved: _____

6. Consolidation of the General Land Office and the Grazing Service.

This would centralize in the new agency the major activities of this Department dealing with the administration of the public domain.

Approved: _____

Disapproved: ✓

7. Transfer to the General Land Office of the Conservation Branch of the Geological Survey, with the exception of the water activities of the Branch.

Since the Conservation Branch deals principally with matters arising under the mineral leasing acts, it should properly become a part of the organization administering the leasing acts.

Approved: _____

Disapproved: _____

Have in doubt.

II. The following proposals were considered but were not recommended for submission to the Budget:

1. Consolidation of the Bureau of Mines and the Geological Survey.

Considerable controversy would be provoked by this proposal and such advantages as it would possess do not appear to justify its submission without further study.

2. Transfer of map-making and map-reproducing activities to this Department. v
c

Since map making is an aspect of an operating function in most cases, it would not be practicable to suggest a general transfer of map-making activities as such. The chief map-reproduction agency is that of the Corps of Engineers and this function is too closely integrated with military map making to warrant its transfer to a civilian agency.

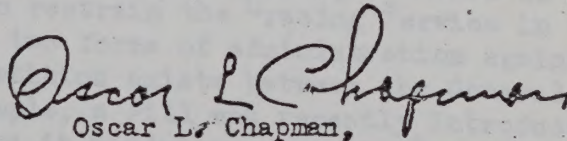
3. Transfer of the National Capital Park and Planning Commission to this Department.

Because of the diversity of the Commission's functions and the composition of the Commission, and because of the current consideration of self-government for the District, this transfer should not be proposed without further study.

4. Transfer to this Department of certain functions of the International Boundary Commission, and the drainage functions, land leveling and resettlement activities, and the Irrigation and Research Unit of the Department of Agriculture.

The Bureau of Reclamation wishes further to study and investigate these matters.

With respect to those proposals which meet with your approval, papers will be prepared for formal submission to the Budget. We also recommend that in the letter submitting the Department's proposals to the Budget the suggestion be made that in the event that the decision should be made to reduce the number of independent agencies, the Federal Works Agency be transferred to the Department of the Interior.



Oscar L. Chapman,
Assistant Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GRAZING SERVICE
WASHINGTON

ADDRESS ONLY
THE DIRECTOR, GRAZING SERVICE

January 16, 1946.

MEMORANDUM for the Secretary.

I recommend that administration of the leasing of public land for grazing under Section 15 of the Taylor Grazing Act be transferred from the General Land Office to the Grazing Service immediately.

About seven months ago a number of preliminary discussions were held, participated in by Assistant Secretary Chapman, Messrs. Lee Muck and Joel Wolfsohn, myself, and some others in the Department, regarding the reorganization of certain functions of the two Bureaus. My memorandum of September 28, 1945 to Assistant Secretary Chapman, which is attached, sets forth in detail my idea of certain interchange of functions, including the transfer to the Grazing Service of the administration of Section 15, that should be made and which I believe would fit into any logical plan of reorganization which may be adopted for the Department. Since that time I have given more thought to the matter and it is my conclusion that the administration of Section 15 should be transferred without delay.

At the present time the Grazing Service has jurisdiction over the 130,684,000 acres of open public lands and 8,617,000 acres of withdrawn or reserved public lands in Grazing Districts. Some 11,310,000 acres of land are leased by the General Land Office under Section 15. The two forms of administration are supplemental to each other and the application of Section 15 has an important part to play in the management of public land. The lands under the two forms should both be administered according to the same standards of protection and conservation of the resources in so far as the applicable laws and character and location of the land will permit. This can be accomplished with greater facility and a minimum of duplication by having a single agency administer all grazing under the Taylor Act.

There is a tendency among western stockmen to believe that after a Section 15 lease has been issued, the land may be used by the leasee pretty much as he sees fit. This was emphasized in the McCarran hearings. There is also a growing tendency for those who seek to restrain the Grazing Service in the full exercise of its functions to play the two forms of administration against each other in a manner to indicate that competition exists between the General Land Office and the Grazing Service. For example, a Bill was recently introduced by Senator McCarran (S. 1402) which would make it mandatory upon the Secretary to dissolve all or parts of a Grazing District upon petition of 60 per cent of the qualified users in the area concerned, and to lease it under Section 15. It is reported that Senator McCarran is going to push this Bill. Its mere introduction, let alone its passage, is tending to undermine confidence in Grazing District administration. The handling of both forms of grazing administration by a single agency would eliminate the opportunity for these tactics. It is my suggestion that you call a conference with Messrs. Chapman, Muck, Wolfsohn and myself in the near future to consider my recommendation.

Attachments
mailed by
Carlson

P. J. Jackson
Director of Grazing.

Reorganization

+ 2-15-General
+ 6-2-General

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

JAN 24 1946

MEMORANDUM for the Secretary.

There is attached for your consideration a letter to the Bureau of the Budget submitting the Department's recommendations under the Reorganization Act of 1945.

Because the Reorganization Act permits the transfer only of functions which are "expressly authorized by law," the original proposal to transfer to this Department the functions of all Departments relating to the disposition of minerals in all lands in Federal ownership has become narrowed to Weeks Act lands and Bankhead-Jones Act lands, which are under the Department of Agriculture. There seem to be no other statutes which authorize the disposition of minerals in other lands.

Your attention is called particularly to the reorganization plan and justification dealing with the establishment of the operations of this Department on a regional basis.

Oscar L. Chapman
Assistant Secretary.

Enclosure 375.



THE SECRETARY OF THE INTERIOR
WASHINGTON 25, D. C.

FILE COPY
Surname:
Office of the
Solicitor

1-8
gen
JAN 24 1946

Whitely
Gordon
Chambers
Clark

My dear Mr. Smith:

In accordance with the request made in Bulletin No. 1945-46:15, dated December 26, 1945, I submit this Department's recommendations for consolidation of functions under the Reorganization Act of 1945. The proposals would enable the Department more effectively and economically to carry out its responsibilities with respect to the natural resources of the Nation. A separate plan and justification for each proposal is enclosed.

It is recommended that the following agencies and functions be transferred to this Department: (a) the Forest Service; (b) the Rural Electrification Administration; (c) the functions of the Secretary of Agriculture relating to the disposition of the minerals on certain lands subject to his jurisdiction; (d) the functions of the Coast and Geodetic Survey relating to topographic mapping and geological activities; and (e) the functions of the Secretary of Agriculture relating to water conservation and utilization in arid and semiarid areas. As a result of an informal conversation with the President, proposals (a) and (b) have also been submitted directly to the President. In connection with transfers in this category, I should like to say that, if the decision should be made to reduce the number of independent agencies by placing them within one of the Executive Departments, it seems to me that the Federal Works Agency should become a part of this Department.

The creation of a Federal Petroleum Reserves Board and the transfer thereto of the naval petroleum reserves is recommended. This proposal has also been submitted to the President.

With respect to reorganization within the Department, I recommend that the General Land Office and the Grazing Service be consolidated into a new agency to be known as the Bureau of Land Management and that authority be given the Secretary of the Interior to establish the operations of the Department on a regional basis over a period of time and to the extent indicated by experience and study.

The Department of the Interior has a number of other reorganization proposals which it will submit to you as soon as possible. I have not included them in those now submitted because they are of minor importance, as compared to the proposals here submitted, which are the salient points of any program to rationalize the natural resource program of the Government. Unless you suggest a contrary course, I shall submit about March 1 a series of minor transfers of authority which I believe necessary to a fully integrated administration of natural resources.

Sincerely yours,

((Sgd.)) HAROLD L. ICKES
Secretary of the Interior.

INTERIOR DEPT.
JAN 23 1946
ASST. SECRETARY

Mr. Harold D. Smith,

Director, Bureau of the Budget.

Enclosure 900.

BW:dgw

LISTEN

REORGANIZATION PLAN
TRANSFERRED TO THE DEPARTMENT OF THE INTERIOR CONTROL
OVER MINERAL DEPOSITS IN CERTAIN LANDS ADMINISTERED
BY THE DEPARTMENT OF AGRICULTURE

REORGANIZATION PLAN NO. _____

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, pursuant to the provisions of the Reorganization Act of 1945, approved December 20, 1945 (Public Law 263, 79th Cong.).

Sec. 1. Transfer of Functions Relating to Minerals.

All functions vested in the Secretary of Agriculture with respect to mineral deposits in certain lands by the provisions of the act of March 4, 1917 (39 Stat. 1134, 1150, 16 U. S. C. sec. 520), Title II of the National Industrial Recovery Act, of June 16, 1933 (48 Stat. 200, 202, 40 U. S. C. sec. 403(a)), the Emergency Appropriation Act, fiscal year 1935, of June 19, 1934 (48 Stat. 1055), the 1935 Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115, 118), and the act of July 22, 1937 (50 Stat. 522, 525, 530), as amended July 28, 1942 (56 Stat. 725, 7 U. S. C. secs. 1011(c) and 1018), are transferred to the secretary of the Interior and shall be administered through such agencies in the Department of the Interior as the Secretary of the Interior shall designate. No mineral development shall be authorized by the Secretary of the Interior on such lands unless he is advised by the Secretary of Agriculture that such development will not interfere with the primary purposes for which the land was

acquired or except in accordance with such conditions as may be specified by the Secretary of Agriculture in order to protect such purposes.

Sec. 2. Transfer of Records, Property, and Personnel.

All records, property (including office equipment), and personnel of the Department of Agriculture used primarily in the administration of functions transferred by this plan are transferred to the Department of the Interior.

Sec. 3. Transfer of Funds.

So much of the unexpended balance of appropriations, allocations, or other funds available or to be made available (including funds available for the fiscal year ending June 30, 1946) for the use of the Department of Agriculture in the exercise of functions transferred by this plan as the Director of the Bureau of the Budget with the approval of the President shall determine, shall be transferred to the Department of the Interior for use in connection with the exercise of the functions so transferred. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer; Provided, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of sections 4 (4) and 10 of the Reorganization Act of 1945.

JUSTIFICATION FOR THE REORGANIZATION PLAN TRANSFERRING
TO THE DEPARTMENT OF THE INTERIOR CONTROL OVER MINERAL DEPOSITS
IN CERTAIN LANDS ADMINISTERED BY THE DEPARTMENT OF AGRICULTURE

Under various statutes and appropriations, the Department of Agriculture has acquired large acreages of land for various purposes. As authorized by law the Secretary of Agriculture has handled the mineral development of such acquired lands. The transfer which would be made by this plan would place the responsibilities of conservation, and the supervision of production of minerals from these lands in the Department now exercising the same responsibilities with respect to all other public lands and Indian lands. A logical grouping of the functions relating to mineral development now authorized by law on Federally owned lands would thus be achieved. The Department of Agriculture has recognized, in principle, that the mineral development of lands subject to its jurisdiction should be handled by the Department of the Interior in the interest of economy and efficiency.

The Department of Agriculture conducts its mineral leasing activities on these lands with the technical advice and assistance of the Department of the Interior. Its oil and gas lease forms are derived from those used in mineral leases on the public domain. It requests the officials of the Geological Survey of the Department of the Interior to advise it on the terms of proposed leases, including royalty requirements, and whether particular tracts are located on the known geological structure of producing oil fields. Its oil and

gas operating regulations are based almost entirely on those of the Geological Survey. Furthermore, operations under oil and gas leases are supervised by the Geological Survey on behalf of the Department of Agriculture on a reimbursable basis. This constant reliance upon the technical staff of the Department of the Interior for all of its functions except the actual drafting and execution of mineral leases, plus the fact that all other leasing activities on public lands subject to mineral leasing are under the jurisdiction of the Department of the Interior conclusively show that as a means of promoting greater efficiency and economy the entire function of mineral conservation upon these lands, of which leasing is an aspect, and the supervision of the production of minerals from them should be placed in the Department of the Interior.

It should be noted that under the plan the consent of the Secretary of Agriculture must precede any mineral development of these lands, in order that mineral development will not interfere with the primary purposes for which these lands were acquired.

The plan would merely enable the Department of the Interior, once the development of minerals has been authorized, to handle all aspects of such development from the beginning. To the conservation and utilization of such minerals, the Department of the Interior would bring experience and skilled personnel, while the Department of Agriculture would be relieved of problems with which its personnel have no familiarity.

REORGANIZATION PLAN CONSOLIDATING THE GENERAL LAND OFFICE
AND THE GRAZING SERVICE INTO A NEW AGENCY, THE BUREAU OF
LAND MANAGEMENT, IN THE DEPARTMENT OF THE INTERIOR

REORGANIZATION PLAN NO. ____

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, pursuant to the Reorganization Act of 1945, approved December 20, 1945 (Public Law 263, 79th Cong.).

Sec. 1. The Bureau of Land Management

The General Land Office and the Grazing Service in the Department of the Interior with their respective functions are consolidated into one agency in the Department of the Interior to be known as the Bureau of Land Management. The functions of the consolidated agency shall be administered under the direction and supervision of the Secretary of the Interior by a Director, an Associate Director, and such Assistant Directors as may be necessary, who shall be appointed by the Secretary subject to the Civil Service laws and the Classification Act of 1923, as amended, and perform such duties as the Secretary shall prescribe. The offices of Commissioner and Assistant Commissioner of the General Land Office and the offices of Director and Assistant Directors of Grazing are abolished and their functions are transferred to the consolidated agency.

Sec. 2: Transfer of Records, Property and Personnel

All records, property (including office equipment) and personnel of the General Land Office and the Grazing Service are transferred to the consolidated agency.

Ann. 1. Transfer of Title

The proposed transfer of copyright, assignment, or other right in a work shall be subject to the following conditions:

(a) The transfer shall be in writing and signed by the owner of the right.

(b) The transfer shall be recorded in the Copyright Office of the Library of Congress.

(c) The transfer shall be subject to the provisions of the Copyright Act of 1909.

Sec. 3. Transfer of Funds

The unexpended balances of appropriations, allocations, or other funds available or to be made available (including funds available for the fiscal year ending June 30, 1946) for the use of the General Land Office or the Grazing Service shall be transferred to the consolidated agency: Provided, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of sections 4(4) and 10 of the Reorganization Act of 1945.

JUSTIFICATION FOR THE REORGANIZATION PLAN CONSOLIDATING THE GENERAL
LAND OFFICE AND THE GRAZING SERVICE INTO A NEW AGENCY, THE BUREAU
OF LAND MANAGEMENT, IN THE DEPARTMENT OF THE INTERIOR.

Unification of management policies and management of the public domain through consolidation of the General Land Office and the Grazing Service will be an important step in the Nation's conservation program. The new agency, the Bureau of Land Management of the Department of the Interior, will handle the manifold and multiple problems of the public domain with greater effect and expedition than is now possible.

Enactment of the Taylor Grazing Act in 1934 established a new national policy for the administration of the public domain. Not only was there a reversal of the policy of free and unmanaged range, but a new emphasis was placed on management, on better use, on a long-term program of husbanding one of our vital natural resources.

Although the act deals primarily with range policy, many of its sections govern land administration in which the States and their subdivisions as well as individuals are involved. Moreover, the years since passage of the Taylor Act have disclosed forcefully the relationship of its administration to the handling of settlement, exchange, land sale, and mining matters. The Taylor Act is not a law standing alone, but it is one of the body of public land laws and its administration rightly belongs with the management of other parts of the public domain.

Thus, there is a close kinship between grazing problems on lands within grazing districts and lands outside such districts. Yet, the former is within the jurisdiction of the Grazing Service and the latter, of the General Land Office. Fire protection on the public domain is a

matter that can best be handled without regard to limiting geographical jurisdictions. Determination of best land use can be effectively made by a unified, rather than a divided management.

Integration of the activities of the two agencies will make possible greater utilization and thus more economic use of expert skills. The same practical experience embraced in range administration on public lands in grazing districts will be available for the so-called Section 15 lands—those public lands outside the districts. Utilization of lands within grazing districts for nongrazing purposes will be subject to only one classification examination, rather than dual examination as is now necessary. Economy will be possible too, in the construction of range improvements, wherever feasible, to serve lands both in and out of districts.

Legal problems such as adjudication of issues relating to licenses and leases, hearings on appeal from administrative decisions, and the processing of trespass cases will benefit from unified administration and handling.

In such activities as soil and moisture conservation, management of public lands under agreement with other agencies (e.g., Bureau of Reclamation), range surveys, maintenance and improvement of stock drive-ways, and stabilization of range use on all public domain, the benefits of complete integration and unification of management through consolidation will become increasingly apparent.

Further, concentration of public land records relating to lands available and suitable for grazing use in fewer field offices,

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY

expanding areas of operation so as to result in more efficient handling will add materially to improvement in public service.

Good government requires that policies should be generally applicable. If the policies which apply to public domain within grazing districts are sound, they should apply to the public domain outside grazing districts, and vice versa. The most efficient way to achieve such an end is through a unified management. Removal of distinction based on geographical lines between plans policies and administration affecting the public domain under the Taylor Act will be a forward stride toward better conservation of our public lands.

The public good will be effectively served by the substitution of one agency for two which now operate on the same lands. This should result in speedier action and ultimately bring about economy in operating cost through greater efficiency.

The new Bureau of Land Management will be headed by a Director whose appointment will be in accord with Civil Service procedure. He will be aided by an associate director and such assistants as the work will require.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

JAN 25 1946

MEMORANDUM for the Heads of Bureaus and Offices.

The Reorganization Act of 1945, approved December 20, 1945 (Public Law 263, 79th Cong.), provides a vehicle for transfers of functions and agencies in the interests of efficiency and economy. You are invited to send to this office reorganization proposals relating to:

1. Transfers of functions or agencies from other Departments or establishments.
2. Transfers of functions from other bureaus or agencies within this Department.
3. Delegations of authority from the Secretary of the Interior which are not possible under existing law.
4. Improvements in bureau organization which cannot now otherwise be made.

The Reorganization Act of 1945 contains certain limitations, and only those proposals should be submitted which can be carried out under the Act. It should be noted particularly that a reorganization plan cannot authorize an agency to exercise any function which is "not expressly authorized by law."

Proposals for reorganization should be submitted to this office not later than February 15, 1946.

Ernest L. Chapman
Assistant Secretary.

Copies to:

Under Secretary ✓
Mr. Struss ✓
Mr. Chapman ✓
Mrs. Maulding (13) ✓
Miss Conley ✓
Miss Downes ✓
Mrs. Flower, Suggestions Conn. ✓
Mr. McGrillis ✓
Mr. W. C. Clark ✓
Mr. Simmons, Secy's Office ✓
Mr. Stapleton, Labor Relations ✓
Mr. Drennon (2) ✓
Mr. Axtell, Mail Room (2) ✓

Mr. Affre, Accounts ✓
Mr. Alvey, Bonneville Power (5) ✓
Mr. Wallace, Supervising Field Rep. ✓
Mr. Northrop (3) ✓
Personnel Files (2) ✓
Docket Room (15) ✓
Land Office (7) ✓
Indian Office, Wash. (3) ✓
" " Chicago (3) ✓
Reclamation (15) ✓
Parks, Washington (2) ✓
" Chicago (3) ✓
Survey (12) ✓

(OVER)



Continued -

Mines (5) ✓
Grazing (18) ✓
Territories (10) ✓
Petroleum Conservation Div. (4) ✓
Purchasing Office (15) ✓
Solicitor (2) ✓
P.R.R.A. (2) ✓
Solid Fuels Adm. (6) ✓
Fish and Wildlife Service, Wash. (3) ✓
" " " Chicago (20) ✓
Geographical Names (2) ✓
Div. of Information (4) ✓
Mr. Burrier, Chicago (2) ✓
Miscellaneous Service Div. (2) ✓
Land Utilization (2) ✓
Southwestern Power Adm. (2) ✓
War Relocation Authority (5) ✓
Div. of Power (2) ✓
Surplus Property Office (10) ✓
Chief Clerk ✓

JAN 28 1946

R.H.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

JAN 28 1946

MEMORANDUM for the Secretary.

I should like to suggest two matters in connection with the reorganization proposals which you have recently sent to the Budget Bureau:

1. The bureaus have not been very fully advised about the plans. I should like your approval for me to mimeograph the plans and distribute them to the bureaus and offices.

2. I shall direct the interested bureaus and offices to prepare their case for the detailed justification to the Budget Bureau which will undoubtedly be required. This, however, is not appropriately done with respect to the requested authority for regionalization. If you approve I shall ask Messrs. Raushenbush and Northrop to work this up together, with such consultation with the Solicitor as seems desirable.

Ascor Chapman
Assistant Secretary

Approved: JAN 28 1946

H. L. P.

Secretary of the Interior

Reorganized

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file
Bureau



UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SOLICITOR
WASHINGTON 25, D. C.

INTERIOR DEPT.
JAN 30 1946
ASST. SECRETARY

Chapman
dated
FEB 2 - 1946
W.H.

January 29, 1946.

INTERIOR DEPT.
JAN 30 1946
SECRETARY'S
MAIL CENTER

MEMORANDUM for the Secretary.

We have been advised, by the Assistant Chief of the Administrative Management Division of the Bureau of the Budget, that they do not now contemplate either (1) asking this Department to justify its reorganization plans, or (2) submitting the proposals of the aggressor Departments to the victim Departments, except so far as the President should direct in specific matters. This procedure is probably the best way to accomplish a thorough-going reorganization but will undoubtedly seem high handed to any Department which loses an agency without an opportunity to be heard.

I have so far heard only of plans by which Agriculture would acquire the Grazing Service, the Park Service and the Fish and Wildlife Service. You may wish to speak either to Mr. Smith or to the President with respect to the desirability of being heard on these matters. If you think it better, we can prepare a letter making a formal request to be heard before there were any submission of a plan to transfer agencies of this Department.

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Warren W. Gardner
Solicitor.

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

FEB -1 1946

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Office of the
Solicitor

<i>W. L. ...</i>
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MEMORANDUM for the Assistant Commissioner, General Land Office.

On January 24, the Department's reorganization proposals were submitted to the Bureau of the Budget. The Department may be asked to appear before the Budget in support of the proposals. Will you please see that preparations are made to present in detail the case for the transfer to this Department of functions of the Secretary of Agriculture relating to the disposition of minerals in certain lands under his jurisdiction. A copy of the reorganization plan and justification on the transfer of these functions is attached.

(Sgd.) OSCAR L. CHAPMAN
Assistant Secretary.

Enclosure 252.
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COPY FOR THE SECRETARY'S OFFICE



THE SECRETARY OF THE INTERIOR
WASHINGTON

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OFFICE MEMORANDUM

I have been advised that a memorandum directed to Secretary Ickes by the Director of Grazing under date of January 16, 1946, containing two recommendations and approved by the Secretary with respect to one of those recommendations, might possibly be misinterpreted as giving approval to both of the recommendations (see departmental file No. 1-81 [Part 13]; file No. 6-2 [Part 2]; and file No. 2-15 [Part 5]).

The recommendations contained in the memorandum above referred to were as follows:

1. That the administration of the public lands for grazing under Section 15 of the Taylor Grazing Act be transferred to the Grazing Service, immediately.
2. That a conference be called with Messrs. Chapman, Muck, Wolfsohn, and Forsling to consider recommendation No. 1.

The second recommendation with respect to a conference for a discussion of proposal No. 1 was approved by the Secretary on January 28, 1946, by a notation to "Miss Downes, Approved: H.L.I." as shown on the original memorandum of January 16, 1946.

The conference was held at 11 a.m., February 6, 1946, in the Office of the Secretary. It was pointed out at the conference by Messrs. Wolfsohn and Muck that the taking of action with respect to the transfer of the administration of grazing leases under the provisions of Section 15 of the Taylor Grazing Act might possibly complicate the recommendation which had been made to the Bureau of the Budget on January 24, 1946 (File 1-81, Part 13), providing for a consolidation of the Grazing Service and the General Land Office.

In view of this situation, the Secretary advised the conferees that before taking action on the recommendation of the Grazing Service he would consult with the Director of the Bureau of the Budget on Friday, February 8, 1946. Owing to developments subsequent to the date of the conference, final action was not taken by the Secretary prior to his resignation on February 13, 1946, concerning recommendation No. 1 of the Grazing Service, as set forth in this memorandum.

The original of this memorandum should be filed in departmental file "Reorganization General, 1-81, Part 13" and copies thereof in file No. 6-2, Part 2, and file No. 2-15, Part 5.

*Copies in 2-15-general
6-2-general
1 Reorganization*

Osborn L. Chapman
Acting Secretary of the Interior.
file

such constituent unit of the Federal Security Agency as the Administrator may provide.

Sec. 6. Functions under act of June 20, 1936, with respect to the blind. The functions of the Office of Education and of the Commissioner of Education under the act of June 20, 1936 (49 Stat. 1559, ch. 638) are transferred to the Federal Security Administrator and shall be performed under his direction and control by such officers and employees of the Federal Security Agency as he shall designate.

Sec. 7. Assistant Commissioner of Education: The functions of the Assistant Commissioner of Education created by the act of May 28, 1930 (46 Stat. 384, ch. 320) are transferred to the Office of Education to be performed under the direction and control of the Commissioner of Education by such officers or employees of the office as he may designate with the approval of the Federal Security Administrator. The Office of Assistant Commissioner of Education is abolished.

Sec. 8. Federal Board for Vocational Education: The Federal Board for Vocational Education and its functions are abolished.

Sec. 9. Board of Visitors of St. Elizabeths Hospital: The Board of Visitors of St. Elizabeths Hospital and its functions are abolished.

Sec. 10. Coordination of grant-in-aid programs: In order to coordinate more fully the administration of grant-in-aid programs by officers and constituent units of the Federal Security Agency, the Federal Security Administrator shall establish, insofar as practicable, (a) uniform standards and procedures relating to fiscal, personnel, and other requirements common to two or more such programs, and (b) standards and procedures under which a State agency participating in more than one such program may submit a single plan of operation and be subject to a single Federal fiscal and administrative review of its operation.

Sec. 11. Winding up of affairs: Suitable measures shall be taken by the Federal Security Administrator to wind up those outstanding affairs of the agencies herein abolished which are not otherwise disposed of by this plan.

Sec. 12. Transfer of personnel, property, records, and funds: The personnel, property, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available), which the Director of the Bureau of the Budget shall determine to relate primarily to the functions transferred hereunder are transferred to the respective agencies concerned for use in the administration of the functions so transferred, except that all of the personnel, property, records, and funds of the Industrial Division of the Children's Bureau shall be transferred to such agency or agencies of the Department of Labor as the Secretary of Labor shall designate. Any of the personnel transferred under this plan which the transferee agency shall find to be in excess of the personnel necessary for the administration of the functions transferred to such agency shall be retransferred under existing law to other positions in the Government or separated from the service.

REORGANIZATION PLAN NO. 3 OF 1946— MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

THE SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Expenditures in the Executive Departments and ordered to be printed:

To the Congress of the United States:

I transmit herewith Reorganization Plan No. 3 of 1946, prepared in accord-

ance with the provisions of the Reorganization Act of 1945.

The plan contains reorganizations affecting a number of departments and establishments. Some continue on a permanent basis changes made by Executive order under authority of the First War Powers Act. A few make adjustments in the distribution of functions among agencies. The remainder deal with problems of organization within individual agencies. All are concerned with improving and simplifying particular phases of Government administration.

Each proposal is explained in more detail under the appropriate heading below.

I have found, after investigation, that each reorganization contained in the plan is necessary to accomplish one or more of the purposes set forth in section 2 (a) of the Reorganization Act of 1945.

DEPARTMENT OF THE TREASURY

The functions of the Bureau of Marine Inspection and Navigation were transferred from the Department of Commerce to the Coast Guard and the Bureau of Customs in 1942 by Executive order under the First War Powers Act. This arrangement has been proved successful by the experience of the past 4 years. Part I of the Reorganization Plan continues the arrangement on a permanent basis.

United States Coast Guard

The principal functions of the Bureau of Marine Inspection and Navigation were those of the inspection of vessels and their equipment, the licensing and certifying of officers and seamen, and related functions designed to safeguard the safety of life and property at sea. Thus these functions are related to the regular activities and general purposes of the Coast Guard. The Coast Guard administered them successfully during the tremendous expansion of wartime shipping, by virtue of improvements in organization and program, many of which ought to be continued.

The plan also transfers to the Coast Guard the functions of the Collectors of Customs relating to the award of numbers to undocumented vessels. These functions, too, were temporarily transferred to the Coast Guard in 1942.

Bureau of Customs

The plan transfers to the Commissioner of Customs the functions of the Bureau of Marine Inspection and Navigation, and the Secretary of Commerce relating to the documentation of vessels, measurement of vessels, administration of tonnage tax and tolls, entry and clearance of vessels and aircraft, regulation of coastwise trade and fisheries, recording of conveyances and mortgages of vessels, and protection of stevedore passengers. These functions have always been performed at the ports by the Customs Service, although legal responsibility for their supervision was vested in the Bureau of Marine Inspection and Navigation and the Secretary of Commerce until transferred temporarily to the Commissioner of Customs under the wartime reorganization power.

The proposed transfer will permit more efficient administration by ending divided responsibility.

DEPARTMENT OF WAR AND DEPARTMENT OF NAVY

Functions With Respect to Certain Insane Persons

Prior to World War I practically all mental patients for whom the Federal Government was legally obligated to provide hospital care and treatment, including personnel of the armed forces, were hospitalized in St. Elizabeths Hospital, Washington, D. C. In addition, this hospital served as the mental hospital for the District of Columbia government. Following World War I, the responsibility for hospital care of mental ill war veterans was assigned to the Veterans' Administration. Somewhat later, specialized hospital facilities were provided by the Bureau of Prisons of the Department of Justice to enable the agency to care for prisoners suffering from mental disorders.

With the growth in the population of the District of Columbia and the wartime expansion of the armed forces, the facilities of St. Elizabeths Hospital became inadequate. The War Department therefore established its own mental hospitals at the outset of World War I. Furthermore it became necessary a year ago for the Navy Department to discontinue the use of St. Elizabeths and to assume the responsibility for the care of its mental patients.

Since the return of the Coast Guard to the Treasury Department, the Public Health Service now provides care in its mental hospitals for personnel of the Coast Guard in accordance with the basic responsibility delegated to it in the Public Health Service Code enacted in 1944. The plan abolishes the functions of St. Elizabeths Hospital with respect to insane persons belonging to the Coast Guard which are provided for by section 4843 of the Revised Statutes (24 U. S. C. 191).

Responsibility for the care of mental patients has been allocated on the basis of the four broad categories of beneficiaries, namely, (1) veterans, to be cared for by the Veterans' Administration; (2) military and naval personnel, to be cared for by the War and Navy Departments; (3) prisoners, for whom the Department of Justice will be responsible; and (4) other civilians, to be cared for by the Federal Security Agency. The reorganization plan, in order to carry out this policy, provides for the transfer or abolition of certain functions and legal responsibilities now resting with the Federal Security Administrator and Superintendent of St. Elizabeths Hospital.

NAVY DEPARTMENT

Hydrographic Office and Naval Observatory

The plan transfers the Hydrographic Office and the Naval Observatory from the Bureau of Naval Personnel to the office of the Chief of Naval Operations. The plan would confirm and make permanent the action taken in 1942 by Executive Order No. 9126 under the First War Powers Act.

The functions performed by both the Hydrographic Office and the Naval Observatory relate primarily to operational matters and thus are more appropriately placed in the office of the Chief of Naval

Operations than in the Bureau of Naval Personnel. This fact was recognized in the realignment of naval functions at the outbreak of the war. The plan merely confirms an organizational relationship which has existed successfully for the past 4 years.

*Supply Department of the United States
Marine Corps*

The plan consolidates the Paymaster's Department and the Quartermaster's Department of the United States Marine Corps into a single Supply Department. This consolidation will establish in the Marine Corps an integrated supply organization which parallels that of the Navy Department's Bureau of Supplies and Accounts.

The consolidation will make possible a more efficient and more economical organization of the companion functions of supply and disbursement, eliminating the present handling of related items by two separate departments of the corps.

DEPARTMENT OF THE INTERIOR

The Franklin D. Roosevelt Library at Hyde Park

At the present time, the National Park Service, the Public Buildings Administration, and the Archivist of the United States all perform housekeeping functions at the Franklin D. Roosevelt Library and home at Hyde Park. The plan unifies in the National Park Service responsibility for activities of this character at Hyde Park—that is, the maintenance and protection of buildings and grounds, the collection of fees, and the handling of traffic and visitors. Because of its wide experience in the administration of historic sites, the National Park Service is the logical agency to assume the combined functions.

Transfer of these functions does not affect the responsibility of the Archivist for the contents and professional services of the Library proper. It also does not affect the present disposition of the receipts, which is provided by law.

*Functions Relating to Mineral Deposits in
Certain Lands*

The plan transfers to the Department of the Interior jurisdiction over mineral deposits on lands held by the Department of Agriculture.

The Department of the Interior now administers the mining and mineral leasing laws on various areas of the public lands, including those national forests established on parts of the original public domain. The Department of Agriculture, on the other hand, has jurisdiction with respect to mineral deposits on (1) forest lands acquired under the Weeks Act, (2) lands acquired in connection with the rural rehabilitation program, and (3) lands acquired by the Department as a part of the Government's effort to retire submarginal lands.

Accordingly this reorganization plan provides that these mineral deposits on lands of the Department of Agriculture will be administered by the Department of the Interior, which already has the bulk of the Federal Government's mineral leasing program.

The plan further provides that the administration of mineral leasing on these

lands under the jurisdiction of the Department of Agriculture will be carried on subject to limitations necessary to protect the surface uses for which these lands were primarily acquired.

Bureau of Land Management

The plan consolidates the General Land Office and the Grazing Service of the Department of the Interior into a Bureau of Land Management.

The General Land Office and the Grazing Service now divide responsibility for the major portion of the multiple-use federally-owned lands now held by the Department of the Interior. The lands under jurisdiction of the two agencies are comparable in character and in use. In some functions, the two agencies employ the same type of personnel and use the same techniques. Other functions are divided between the agencies so that both are engaged in management of various aspects of the same land. Consolidating these two agencies will permit the development of uniform policies and the integration of two organizations whose responsibilities now overlap.

Integration of the activities of the two agencies will make possible greater utilization and thus more economic use of expert skills. The same practical experience embraced in range administration on public lands in grazing districts will be available for public lands outside the districts.

Utilization of lands within grazing districts for nongrazing purposes will be subject to only one classification examination, rather than dual examination as is now necessary. Economy will be possible in the construction of range improvements, wherever feasible, to serve lands both in and out of districts. Legal procedures such as adjudication of issues relating to licenses and leases, hearings on appeal from administrative decisions, and the processing of trespass cases will benefit from unified administration and handling.

In such activities as fire protection, soil and moisture conservation, management of public lands under agreement with other agencies (e. g., Bureau of Reclamation), range surveys, maintenance and improvement of stock driveways, and stabilization of range use on all public domain, the benefits of consolidation will become increasingly apparent. Further, records relating to grazing lands can be concentrated in fewer field offices and hence administered more effectively.

While the establishment of a new Bureau of Land Management under a Director involves the abolition of the Commissioner and Assistant Commissioners of the General Land Office, the Director and Assistant Directors of Grazing, the registers of district land offices, and the United States Supervisor of Surveys, the statutory functions now discharged by these officers are in no way modified. This plan will place final responsibility for these functions in the Secretary of the Interior and make him responsible for their performance in coordination with the other land activities of his Department. Officers whose offices are specifically abolished, but whose experience will make them valuable to the Depart-

ment, should be available for appointment in the new Bureau.

I have found and declare that by reason of the reorganization made by the plan the responsibilities and duties of the Bureau of Land Management are of such nature as to require the inclusion in the plan of provisions for the appointment and compensation of a Director, an Associate Director, and Assistant Directors.

DEPARTMENT OF AGRICULTURE

*Functions of certain agencies of the
Department of Agriculture*

To enable the Department of Agriculture to meet its responsibilities for food production and distribution during the war, there was early and continuing coordination of its programs directly concerned with these phases of the food problem. Beginning with Executive Order No. 9069 of February 23, 1942, these programs and agencies dealing with food production and distribution were gradually consolidated by a series of Executive orders issued under the authority of the First War Powers Act. By Executive Order No. 9334 of April 19, 1943, they were all grouped into a War Food Administration, under a War Food Administrator.

When the fighting was drawing to a close and the emergency purposes of the War Food Administration had been largely accomplished, this Administration was terminated by Executive Order No. 9577 of June 29, 1945; and its functions and agencies were transferred back to the jurisdiction of the Secretary of Agriculture. Executive Order No. 9577 also authorized the Secretary of Agriculture to organize and administer the transferred functions and agencies in the manner which he deemed best.

Under this authority, the Secretary established the Production and Marketing Administration in August 1945. Into this Administration, he consolidated the functions of many of the production and marketing agencies which were transferred back from the War Food Administration. Included were the functions of the Agricultural Adjustment Administration and the Surplus Marketing Administration and the administration of the programs of the Federal Crop Insurance Corporation and the Commodity Credit Corporation.

The plan transfers these functions to the Secretary of Agriculture in order to permit him to continue the consolidation already effected in the Production and Marketing Administration. This provision makes it possible to maintain the close coordination and integration of food production and distribution programs, with the resulting benefits that were achieved during the war. It also provides the Secretary with the necessary flexibility to make adjustments in the coordination and administration of these programs to meet changing conditions and new problems, a flexibility which he particularly needs at this period of acute food shortages throughout the world.

DEPARTMENT OF COMMERCE

*Certain functions of National Bureau of
Standards*

The plan transfers the functions of two divisions of the National Bureau of

Standards in the Department of Commerce, namely, the Division of Simplified Trade Practices and the Division of Commercial Standards, to the Secretary of Commerce. The transfer will permit the Secretary to reassign these functions to the Office of Domestic Commerce, which is the focal point of the Department's general service functions for American business.

These two divisions were established as a result of the standardization work initiated in World War I. Both divisions have followed the same basic procedure of assisting the producers and the consumers of particular products to agree among themselves on certain standards or on a certain limited number of varieties. Each such voluntary agreement is then published by the National Bureau of Standards and, although not compulsory, has tended to become the generally accepted practice in the trade.

Standardization again proved to be an important device for accelerating production in World War II; and industry has shown renewed interest in continuing these wartime conservation and rationalization programs on a voluntary basis in the production of peacetime products.

The desirability of the proposed transfer was emphasized only a few months ago by the report of a committee of prominent businessmen appointed by the Secretary of Commerce to review the entire question of the Government's activities in this field. These studies indicate that two major benefits will result from the transfer.

First, The association of the two divisions with the National Bureau of Standards has perhaps tended to give the impression in some quarters that voluntary standards and trade practices worked out by industry with the help of these two divisions are in some sense Government standards which are enforced on the basis of scientific and objective tests. The transfer of these two divisions to the Department proper would reduce any such misconceptions, and make it clear that these standards and simplified practices are voluntary industry agreements in the making of which the Government acts merely in an advisory capacity.

Second, the other general services of the Department to American business, such as marketing, management, and economic and statistical services, are now concentrated in the Office of Domestic Commerce. The association of these two divisions with these other services to business will facilitate their work and enable them to make use of the wide industrial and business contacts of the Office of Domestic Commerce.

NATIONAL LABOR RELATIONS BOARD

Strike ballots under the War Labor Disputes Act

The plan abolishes the function of conducting strike ballots which was vested in the National Labor Relations Board by section 8 of the War Labor Disputes Act (57 Stat. 167, ch. 144). Experience indicates that such elections under the act do not serve to reduce the number of strikes and may even aggravate labor difficulties. The Congress has already

forbidden the Board to expend any of its appropriations for the current fiscal year for this activity (First Deficiency Appropriation Act of 1946). I believe that the function should now be permanently abolished.

SMITHSONIAN INSTITUTION Canal Zone Biological Area

The plan transfers responsibility for the Canal Zone Biological Area to the Smithsonian Institution. At present, the Canal Zone Biological Area is an independent agency of the Government, having as its function the administration of Barro Colorado Island in Gatun Lake as a tropical wildlife preserve and research laboratory. The board of directors of this agency consists of the president of the National Academy of Sciences as chairman, the secretary of the Smithsonian Institution, three members of the Cabinet—the Secretaries of War, Interior, and Agriculture—and three biologists.

The transfer will locate this function with comparable and related functions already assigned to the Smithsonian Institution whose staff members have participated since the beginning in developing the island as a research center. It will reduce by one the number of Government agencies. It will relieve three Cabinet members of routine duties not important enough to warrant their personal attention.

Under its existing authority the Smithsonian Institution may constitute an advisory board of biologists and departmental representatives if it finds such action necessary.

UNITED STATES EMPLOYMENT SERVICE

Placement Functions Under Selective Training and Service Act of 1940

The plan transfers to the United States Employment Service the functions of the Selective Service System and its Director with respect to assisting ex-servicemen in obtaining new positions. These functions directly overlap the regular placement activities of the United States Employment Service, which is required to provide a special placement service for veterans both by its basic act and by the Servicemen's Readjustment Act of 1944. The transfer is in line with the policy of the Congress on the placement of veterans as most recently expressed in the 1944 act. The shift will prevent needless duplication of personnel and facilities and will assure the best service to veterans.

HARRY S. TRUMAN.

THE WHITE HOUSE, May 1946.

REORGANIZATION PLAN NO. 3 OF 1946

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 16, 1946, pursuant to the provisions of the Reorganization Act of 1945, approved December 20, 1945)

PART I. DEPARTMENT OF THE TREASURY

SECTION 101. Functions transferred to the United States Coast Guard: (a) There are hereby transferred to the Commandant of the Coast Guard those functions of the bureau, offices, and boards specified in the first sentence of section 104 of this plan, and of the Secretary of Commerce, which pertain to approval of plans for the construction, repair, and alteration of vessels; approval of

materials, equipment, and appliances; classification of vessels; inspection of vessels and their equipment and appliances; issuance of certificates of inspection, and of permits indicating the approval of vessels for operations which may be hazardous to life or property; administration of bond line requirements; enforcement of other provisions for the safety of life and property on vessels; licensing and certifying of officers, pilots, and seamen; suspension and revocation of licenses and certificates; investigation of marine casualties; enforcement of manning requirements, citizenship requirements, and requirements for the mustering and drilling of crews; control of log books; shipment, discharge, protection, and welfare of merchant seamen; enforcement of duties of shipowners and officers after accidents; promulgation and enforcement of rules for lights, signals, speed, steering, sailing, passing, anchorage, movement, and towlines of vessels and lights and signals on bridges; numbering of undocumented vessels; prescription and enforcement of regulations for outfitting and operation of motorboats; licensing of motorboat operators; regulation of regattas and marine parades; all other functions of such bureau, offices and boards which are not specified in section 102 of this plan; and all other functions of the Secretary of Commerce pertaining to those functions of the agencies abolished under section 104 of this plan which are not specified in section 102 of this plan, including the remission and mitigation of fines, penalties, and forfeitures incurred under the laws governing these functions and those incurred under the act of December 17, 1941, 55 Stat. 808, as amended.

(b) The functions relating to the award of numbers to undocumented vessels vested by law in the collectors of customs are hereby transferred to the Commandant of the Coast Guard.

SEC. 102. Functions transferred to Bureau of Customs: There are hereby transferred to the Commissioner of Customs those functions of the bureau, offices, and boards specified in the first sentence of section 104 of this plan, and of the Secretary of Commerce, which pertain to registry, enrollment, and licensing of vessels, including the issuance of commissions to yachts, the assignment of signal letters, and the preparation of all reports and publications in connection therewith; measurement of vessels, administration of tonnage duties, and collection of tolls; entry and clearance of vessels and aircraft; regulation of vessels in the coasting and fishing trades, and limitation of the use of foreign vessels in waters under the jurisdiction of the United States; recording of sales, conveyances, and mortgages of vessels; protection of steorage passengers; all other functions of such bureau, offices, and boards which were performed by the Bureau of Customs on behalf thereof immediately prior to the effective date of Executive Order No. 9083 of February 28, 1942 (7 F. R. 1609); and the power to remit and mitigate fines, penalties and forfeitures incurred under the laws governing these functions.

SEC. 103. Powers of the Secretary of the Treasury: The functions transferred by sections 101 and 102 of this plan may be performed through such officers and employees of the United States Coast Guard and the Bureau of Customs, respectively, as may be designated by the Commandant of the Coast Guard and the Commissioner of Customs, respectively, and shall be performed subject to the direction and control of the Secretary of the Treasury except as otherwise required by law with respect to the United States Coast Guard whenever it operates as a part of the Navy.

SEC. 104. Abolition of agencies: The Bureau of Marine Inspection and Navigation, the office of the Director thereof, the offices of supervising inspectors, principal traveling inspectors, local inspectors, assistant inspec-

tors, shipping commissioners, deputy shipping commissioners, and the Board of Superintending Inspectors, the boards of local inspectors, the Marine Casualty Investigation Board, and the marine boards are hereby abolished. The Secretary of the Treasury shall provide for winding up those affairs of the said abolished agencies which are not otherwise disposed of herein.

PART II. DEPARTMENT OF WAR AND DEPARTMENT OF THE NAVY

SEC. 501. Functions with respect to certain insane persons: (a) The functions of St. Elizabeths Hospital and the superintendent thereof, and of the Federal Security Agency and the Federal Security Administrator, with respect to the care, treatment, and custody of insane persons as provided in section 4843 of the Revised Statutes (24 U. S. C. 191) are hereby transferred or abolished as follows:

(1) Functions with respect to insane persons belonging to the Army or falling, by reason of employment or service in the Army, within any of the categories enumerated in said section, are transferred to the Secretary of War and shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of War as he may designate.

(2) Functions with respect to insane persons belonging to the Navy or falling, by reason of prior service in the Navy, within any of the categories enumerated in said section, are transferred to the Secretary of the Navy and shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of the Navy as he may designate. (For the purposes of this subparagraph (2), the Marine Corps but not the Coast Guard is included in the Navy.)

(3) Functions with respect to insane persons belonging to the Coast Guard are abolished.

(b) Nothing in subsection (a) of this section shall affect the functions and authority of St. Elizabeths Hospital, the superintendent thereof, the Federal Security Agency, or the Federal Security Administrator with respect to any person heretofore admitted to St. Elizabeths Hospital and a patient therein on the effective date of this plan under the provisions of section 4843 of the Revised Statutes, or the functions and authority of said officers and agencies or of the Public Health Service with respect to Coast Guard members as beneficiaries of the Public Health Service, as provided by section 504 of the Public Health Service Act (58 Stat. 710, 42 U. S. C. 222).

PART III. DEPARTMENT OF THE NAVY

SEC. 301. Hydrographic Office and Naval Observatory: The Hydrographic Office and the Naval Observatory, together with their respective functions, are hereby transferred from the Bureau of Naval Personnel, Department of the Navy, to the Chief of Naval Operations and shall be administered, subject to the direction and control of the Secretary of the Navy, under the Chief of Naval Operations.

SEC. 302. Supply Department of the United States Marine Corps: The Paymaster's Department of the United States Marine Corps and the Quartermaster's Department of the United States Marine Corps, and the functions of such departments, are hereby consolidated to form a single new agency, which shall be known as the Supply Department of the United States Marine Corps, and at the head of which there shall be the Quartermaster General of the Marine Corps. The name and title of "The Paymaster General of the Marine Corps" provided for in the Act of March 24, 1944 (58 Stat. 121) are hereby abolished.

PART IV. DEPARTMENT OF THE INTERIOR

SEC. 401. Certain functions with respect to the Franklin D. Roosevelt Library: The fol-

lowing functions are hereby transferred to the Secretary of the Interior and shall be performed, subject to his direction and control, by such officers and agencies of the Department of the Interior as he may designate:

(a) The functions of the Commissioner of Public Buildings, under section 206 of the act of July 18, 1939 (53 Stat. 1062), with respect to the care, maintenance, and protection of the buildings and grounds of the Franklin D. Roosevelt Library.

(b) The functions of the Archivist of the United States, under section 207 of the said act, with respect to the collection of fees from persons visiting and viewing the exhibit rooms or museum portion of said Library, excluding the fixing of charges to be collected but including the making of all other regulations with respect to such collection. (Any funds derived from such fees shall be paid, held, administered, and expended in consonance with the proviso in said sec. 207.)

SEC. 402. Functions relating to mineral deposits in certain lands: The functions of the Secretary of Agriculture and the Department of Agriculture with respect to the uses of mineral deposits in certain lands pursuant to the provisions of the act of March 4, 1917 (39 Stat. 1134, 1150, 16 U. S. C. 520), title II of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 195, 200, 202, 205, 49 U. S. C., 401, 403 (a), and 402), the 1935 Emergency Relief Appropriation Act of April 8, 1935 (48 Stat. 115, 118), section 55 of title I of the act of August 24, 1935 (49 Stat. 750, 761), and the act of July 22, 1937 (50 Stat. 522, 525, 530), as amended July 28, 1942 (56 Stat. 725, 7 U. S. C. 1011 (c) and 1018), are hereby transferred to the Secretary of the Interior and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of the Interior as he may designate: *Provided*, That mineral development on such lands shall be authorized by the Secretary of the Interior only when he is advised by the Secretary of Agriculture that such development will not interfere with the primary purposes for which the land was acquired and only in accordance with such conditions as may be specified by the Secretary of Agriculture in order to protect such purposes. The provisions of law governing the crediting and distribution of revenues derived from the said lands shall be applicable to revenues derived in connection with the functions transferred by this section. To the extent necessary in connection with the performance of the functions transferred by this section, the Secretary of the Interior and his representatives shall have access to the title records of the Department of Agriculture relating to the lands affected by this section.

SEC. 403. Bureau of Land Management:

(a) The functions of the General Land Office and of the Grazing Service in the Department of the Interior are hereby consolidated to form a new agency in the Department of the Interior to be known as the Bureau of Land Management. The functions of the other agencies named in subsection (d) of this section are hereby transferred to the Secretary of the Interior.

(b) There shall be at the head of such Bureau a Director of the Bureau of Land Management who shall be appointed by the Secretary of the Interior under the classified civil service, who shall receive a salary at the rate of \$10,000 per annum, and who shall perform such duties as the Secretary of the Interior shall designate.

(c) There shall be in the Bureau of Land Management an Associate Director of the Bureau of Land Management and so many Assistant Directors of the Bureau of Land Management as may be necessary, who shall be appointed by the Secretary of the Interior under the classified civil service and subject to the Classification Act of 1923, as amended,

and who shall perform such duties as the Secretary of the Interior may prescribe.

(d) The General Land Office, the Grazing Service, the offices of Commissioner of the General Land Office, Assistant Commissioner of the General Land Office, Director of the Grazing Service, all Assistant Directors of the Grazing Service, all Registers of the District Land Offices, and United States Supervisors of Surveys, together with the Field Surveying Service now known as the Cadastral Engineering Service, are hereby abolished.

(e) The Bureau of Land Management and its functions shall be administered subject to the direction and control of the Secretary of the Interior, and the functions transferred to the Secretary by subsection (a) of this section shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of the Interior as he may designate.

PART V. DEPARTMENT OF AGRICULTURE

SEC. 501. Functions of certain agencies of the Department of Agriculture: The following functions are hereby transferred to the Secretary of Agriculture and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of Agriculture as he shall designate:

(a) All functions of the Agricultural Adjustment Administration and the Surplus Marketing Administration and of the respective heads of such Administrations.

(b) The administration of the programs of the Federal Crop Insurance Corporation and the Commodity Credit Corporation.

PART VI. DEPARTMENT OF COMMERCE

SEC. 601. Certain functions of National Bureau of Standards: The following functions are hereby transferred to the Secretary of Commerce and shall be performed, subject to his direction and control, by such officers and agencies of the Department of Commerce as he may designate:

(a) Those functions of the National Bureau of Standards under section 2 of the act of March 3, 1901 (31 Stat. 1449) which are now performed by the Division of Commercial Standards of said Bureau, namely, (1) to assist, coordinate, and cooperate with groups of consumers, distributors or producers, technical organizations, and other persons, in the voluntary establishment, maintenance, recording, publishing, and promoting of commercial standards as a nationally and internationally recognized basis for testing, grading, labeling, marketing, guaranteeing, or accepting staple, manufactured commodities moving in daily domestic and foreign trade, and (2) to assist in the development of Federal purchase standards specifications and in providing information to the public and the Government of such standards and specifications.

(b) Those functions of said Bureau under said section 2 which are now performed by the Division of Simplified Trade and Practices of said Bureau, namely, to assist, coordinate, and cooperate with individual and groups of producers, distributors, and users in establishing, recording, publishing, and promoting a Nation-wide program for the elimination of avoidable waste through the formulation of simplified trade practice recommendations which identify and list the sizes, types, dimensions, and varieties of products that are in national demand in the country, including but not limited to simplified trade practice recommendations concerning the following commodities: wood, textiles, paper and rubber products, metal and mechanical products, containers and miscellaneous products, materials handling equipment, ceramic products, electrical products, construction materials, and metal and wood-working tools.

(c) So much of the functions of the Director of said Bureau as relates to the foregoing activities.

REPORT OF COMMITTEE ON PRIVATE
BILLS AND RESOLUTIONS

PUBLIC BILLS AND RESOLUTIONS

By Mr. PLOOM:

By Mr. RANKIN:

By Mr. ROBINSON of Utah:

By Mr. SUMNERS of Texas:

By Mr. VOORHIS of California:

H.R. 6577. A bill to amend the Federal Unemployment Tax Act and the Social Security Act so as to authorize any State to use amounts in its unemployment fund to pay cash benefits to individuals with respect to their unemployment by reason of their disability; to the Committee on Ways and Means.

By Mr. McCORMACK:

By Mr. WICKERSHAM:

By Mr. PACE:

By Mr. PITTENGER:

H. Con. Res. 155. Concurrent resolution against adoption of reorganization plan No. 1 of May 16, 1946: to the Committee on

By Mr. CHIEF:

By Mr. KEEFE:

By Mr. VQRYS of Ohio:

H. R. 682. A bill for the relief of Ruth A. Hairston: to the Committee on Claims.

1912. By Mr. COLE of Missouri: Petition of W. J. Sunden and P. J. Darling of North Kansas City, Mo., and 136 others, who are all of the employees of the shop and yard force of the Frisco Railroad at Kansas City, Mo., offering an amendment to House bill 1737 and protecting pension amendment Senate bill 293 and House bill 1362; to the Committee on Interstate and Foreign Commerce.

1913. By Mr. Voorhis of California: Petition of Robert R. Elsner, Jr., and 180 other students of Brown University, urging that legislative or executive action be taken to insure the immediate fulfillment of our obligation to feed the starving peoples of the world; to the Committee on Foreign Affairs.

SENATE

MONDAY, MAY 27, 1946

(Legislative day of Tuesday, March 5,
1946)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God who turnest not Thy face away from those who work Thy will, as in the morning we take anew the cup of our freedom crimsoned with great cost, may we be mindful of its sacred meaning and reverent in its use. Make more worthy in faith and uprightness the hands of those who hold it high in trust for all, that its healing balm may be denied to none beneath the spanned flag of this favored land. Grant that even when the rights of all are mocked and betrayed for power or gain we may still labor on with valor for the enthronement on earth of Thy reign of law and love, of equity and righteousness, nor ever doubt the final triumph of Thy great purposes for all men. Through Jesus Christ our Lord. Amen.

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Saturday, May 25, 1946, was dispensed with, and the Journal was approved.

TRANSACTION OF ROUTINE BUSINESS

SUPPLEMENTAL ESTIMATE. COAST GUARD. TREAS-
URY DEPARTMENT (S. DOC. NO. 188)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Coast Guard, Treasury Department, amounting to \$1,020,000, fiscal year 1947, in the form of an amendment to the Budget for that fiscal year and a draft of a proposed provision pertaining to an appropriation for the fiscal years 1946 and 1947 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

RELIEF OF CERTAIN POSTMASTERS

A letter from the Acting Postmaster General, transmitting a draft of proposed legislation for the relief of certain postmasters (with an accompanying paper); to the Committee on Post Offices and Post Roads.

PETITION AND MEMORIAL

Petitions, etc., were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A telegram in the nature of a petition from F. E. Ulrich, of Valley Stream, N. Y., praying for the prompt enactment of legislation to curb strikes; ordered to lie on the table.

A letter from J. R. FARRINGTON, Delegate from Hawaii, transmitting telegrams in the nature of memorials from Carpenters' Union Local No. 745, Boilermakers' Union No. 204, Central Labor Council, American Federation of Labor, and International Association of Machinists, all of Honolulu, P. I., remonstrating against the enactment of antilabor legislation (with accompanying telegrams); ordered to lie on the table.

ANTISTRIKE LEGISLATION—PETITIONS

Mr. CAPPER. Mr. President, I have received telegrams from chambers of commerce in cities of Eureka, Liberal, Great Bend, Manhattan, Beloit, and Abilene, all in the State of Kansas, appealing to the Congress to enact legislation that will stop strikes. I ask unanimous consent to present these telegrams for appropriate reference and that they be printed in the RECORD.

There being no objection, the telegrams were received, ordered to lie on the table, and to be printed in the RECORD, as follows:

EUREKA, KANS., May 27, 1946.

Washington, D. C.:

We believe in the principles of collective bargaining and in union responsibility for its acts. We believe that individuals should be free to join or not join labor organizations. That organized labor should be protected in its rights by laws which equally protect other citizens, organized or unorganized. That the best interests of all citizens are best served by a minimum of regulative legislation. We are opposed to violence, intimidation and coercive methods on part of labor or management. Interests, rights of public in continuity of production goods and services must not be subordinated in disputes of labor and management or in disputes between or within labor unions. To achieve these ends, to effectuate prompt settlement of current strikes, to establish effective precedent for future disputes we urge your prompt and united action.

Board of Directors, Eureka Chamber of
Commerce: F. A. Smethers, J. W.

By Mr. GEORGE:

S. 2260. A bill for the relief of Ray M. Davidson; to the Committee on Claims.

S. 2261. A bill authorizing the appointment and retirement of Glenwood L. Cook as a lieutenant (junior grade) in the United States Navy; to the Committee on Naval Affairs.

By Mr. O'MAHONEY (by request):

S. 2262. A bill restoring to tribal ownership certain undisposed of surplus lands of the Klamath River Reservation, Calif.; and

S. 2263. A bill for the relief of Milton A. Johnson, and for other purposes; to the Committee on Indian Affairs.

By Mr. McCARRAN:

S. 2264. A bill to amend the act providing for the appointment of court reporters; and

S. 2265. A bill to make criminally liable persons who negligently allow prisoners in their custody to escape; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2266. A bill to exclude from the Olympic National Park certain privately owned lands which were added thereto by Executive action; to the Committee on Public Lands and Surveys.

By Mr. SHIPSTEAD:

S. 2267. A bill for the relief of Merchants Motor Freight; to the Committee on Claims.

By Mr. WALSH:

S. 2268. A bill for the relief of William Hugh Murphy; to the Committee on Naval Affairs.

S. 2269. A bill to provide for making certain War Department articles and equipment available for use at the convention of the Veterans of Foreign Wars to be held in Boston, Mass., in September 1946; to the Committee on Military Affairs.

SETTLEMENT OF INDUSTRIAL DISPUTES AFFECTING THE NATIONAL ECONOMY—AMENDMENTS

Mr. WILSON submitted an amendment and Mr. EASTLAND submitted amendments intended to be proposed by them, respectively, to the bill (H. R. 6578) to provide on a temporary basis during the present period of emergency for the prompt settlement of industrial disputes vitally affecting the national economy in the transition from war to peace, which were ordered to lie on the table and to be printed.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT—AMENDMENTS

Mr. JOHNSON of Colorado submitted an amendment intended to be proposed by him to the bill (S. 2057) to extend the Selective Training and Service Act of 1940, as amended, until May 15, 1947, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. JOHNSON of Colorado (for himself and Mr. LA FOLLETTE) submitted an amendment intended to be proposed by them, jointly, to the bill (S. 2057) to extend the Selective Training and Service Act of 1940, as amended, until May 15, 1947, and for other purposes, which was ordered to lie on the table and to be printed.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred, as indicated:

H. R. 6265. An act to create a Department of Corrections in the District of Columbia; to the Committee on the District of Columbia.

H. J. Res. 360. Joint resolution to provide for United States participation in the Philip-

pine Independence ceremonies on July 4, 1946; to the Committee on Territories and Insular Affairs.

INVESTIGATION OF CAUSES OF DISPUTES BETWEEN LABOR AND MANAGEMENT

Mr. KILGORE submitted the following concurrent resolution (S. Con. Res. 63), which was referred to the Committee on Education and Labor:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a joint committee to be composed of seven Members of the Senate, to be appointed by the President of the Senate and seven Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members.

Sec. 2. The committee shall make a thorough study and investigation into the causes of disputes between labor and management, including union and employer policies and practices, economic and other factors, Government policies, present and proposed legislation affecting such disputes, and the measures by which such disputes may be minimized or eliminated in order to safeguard the public interest, including particularly, voluntary and cooperative measures between labor and management which can be promoted or facilitated by the Federal Government.

The committee shall have power to report to the Senate and the House of Representatives, through the Members of the respective Houses, such recommendations as it may deem wise and adequate to carry out the purposes of this concurrent resolution.

Sec. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

(b) The committee is empowered to appoint and fix the compensations of such experts, consultants, and clerical and stenographic assistants as it deems necessary, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties. The committee shall file its report within 6 months from the time of its appointment.

(c) The expenses of the committee, which shall not exceed \$50,000, shall be paid for in equal amounts from the contingent funds of the Senate and House of Representatives, respectively, and be disbursed by the Secretary of the Senate on voucher signed by the chairman or vice chairman.

REORGANIZATION OF GOVERNMENTAL AGENCIES—PLAN NO. 1

Mr. McCARRAN submitted the following concurrent resolution (S. Con. Res. 64), which was referred to the Committee on the Judiciary:

Resolved by the Senate (the House of Representatives concurring), That the Congress does not favor the reorganization plan No. 1 transmitted to Congress by the President on May 16, 1946.

REORGANIZATION OF GOVERNMENTAL AGENCIES—PLAN NO. 2

Mr. McCARRAN submitted the following concurrent resolution (S. Con. Res.

65), which was referred to the Committee on the Judiciary:

Resolved by the Senate (the House of Representatives concurring), That the Congress does not favor the reorganization plan No. 2 transmitted to Congress by the President on May 16, 1946.

REORGANIZATION OF GOVERNMENTAL AGENCIES—PLAN NO. 3

Mr. McCARRAN submitted the following concurrent resolution (S. Con. Res. 66), which was referred to the Committee on the Judiciary:

Resolved by the Senate (the House of Representatives concurring), That the Congress does not favor the reorganization plan No. 3 transmitted to Congress by the President on May 16, 1946.

AMENDMENT OF THE RULE RELATING TO DEBATE

Mr. FULBRIGHT submitted the following resolution (S. Res. 274), which was referred to the Committee on Rules:

Resolved, That rule XIX of the standing rules of the Senate is amended by adding at the end thereof the following:

"7. It shall be in order at any time during the consideration of any measure or question for a Senator to submit in writing a motion to limit debate upon such measure or question, and upon amendments and motions relating thereto. The motion shall state the terms and conditions of the proposed limitation, and shall not be subject to amendment. The motion and any point of order or other question relating thereto shall be decided without debate. If the motion shall be decided in the affirmative by 90 percent of the Senators voting, further debate upon the measure or question under consideration, and amendments and motions relating thereto, shall be limited in accordance with the motion, and no amendment not germane to such measure or question shall be in order."

COMMENCEMENT ADDRESS BY SENATOR KILGORE AT WEST VIRGINIA WESLEYAN COLLEGE

[Mr. HILL asked and obtained leave to have printed in the Record the commencement address delivered by Senator KILGORE at West Virginia Wesleyan College, on May 27, 1946, which appears in the Appendix.]

AMERICAN-TYPE LEGISLATION TO ANTIDOTE COLLECTIVIST EVILS—STATEMENT BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the Record a statement prepared by him, entitled "American-Type Legislation To Antidote Collectivist Evils," which appears in the Appendix.]

OFFICE MORALE—ARTICLE BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the Record an article entitled "Is Your's a Happy Office?" written by him and published in the Mr. 1916 Issue of the magazine Office Management and Equipment, which appears in the Appendix.]

ADDRESS BY SENATOR MEAD BEFORE ASSOCIATION OF FRATERNAL AND BENEVOLENT ORGANIZATIONS OF THE AMERICAN JEWISH CONGRESS

[Mr. MEAD asked and obtained leave to have printed in the Record an address delivered by him on May 28, 1946, at a dinner of the Association of Fraternal and Benevolent Organizations of the American Jewish Congress, tendered to Dr. Stephen S. Wise on his seventy-second birthday, which appears in the Appendix.]

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1414. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Agriculture for the fiscal year 1947 in the amount of \$12,000,000 (H. Doc. No. 675); to the Committee on Appropriations and ordered to be printed.

1415. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to authorize the Secretary of the Navy to construct aviation facilities at the United States Naval Academy, Annapolis, Md., and for other purposes; to the Committee on Naval Affairs.

1416. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 3, 1946, submitting a report, together with accompanying papers and illustrations, on a review of reports on Stamford Harbor, Conn., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on April 24, 1945 (H. Doc. No. 676); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

1417. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 15, 1946, submitting a report, together with accompanying papers and illustrations, on a review of reports on the Illinois Waterway, including the Calumet-Sag Channel, Grand Calumet River, and Indiana Harbor and Canal, Ill. and Ind., requested by resolutions of the Committee on Rivers and Harbors, House of Representatives, adopted on March 7, 1939, October 24, 1939, and October 15, 1943 (H. Doc. No. 677); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

1418. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 1, 1946, submitting a report, together with accompanying papers and an illustration, on a review of reports on Savannah Harbor, Ga., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on October 19, 1945 (H. Doc. No. 678); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1419. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 8, 1946, submitting a report, together with accompanying papers and an illustration, on a review of reports on the Delaware River between Philadelphia, Pa., and Trenton, N. J., with a view to improvement in the vicinity of Biles Creek, Pa., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on April 24, 1945 (H. Doc. No. 679); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1420. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 26, 1946, submitting a report, together with accompanying papers and illustrations, on a review of reports on Bridgeport Harbor, Conn., requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted on August 30, 1944 (H. Doc. No. 680); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. LANHAM: Special Committee on Reconstruction of Senate and House Rooms and Skylights submits report pursuant to Public Law 155, Seventy-ninth Congress, relating to the appropriation for the roofs and skylights over the Senate and House wings of the Capitol, and for other purposes; without amendment (Rept. No. 2321). Referred to the Committee of the Whole House on the State of the Union.

Mr. SABATH: Committee on Rules. House Resolution 675. Resolution providing for the consideration of H. R. 6477, a bill to amend section 32 of the Emergency Farm Mortgage Act of 1933, as amended, and section 3 of the Federal Farm Mortgage Corporation Act, as amended, and for other purposes; without amendment (Rept. No. 2323). Referred to the House Calendar.

Mr. PRIEST: Committee on Interstate and Foreign Commerce. S. 1367. An act to provide for the appointment of three additional Assistant Secretaries of Commerce, and for other purposes; with amendments (Rept. No. 2324). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELAND: Committee on the Merchant Marine and Fisheries. H. R. 5932. A bill providing for the conveyance to the town of Ipswich, in the State of Massachusetts, of lighthouse property at Castle Neck, for public use; with amendment (Rept. No. 2325). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOSSETT: Committee on Expenditures in the Executive Departments. House Concurrent Resolution 155. Concurrent resolution against adoption of Reorganization Plan No. 1 of May 16, 1946; without amendment (Rept. No. 2326). Referred to the Committee of the Whole House on the State of the Union.

Mr. MANASCO: Committee on Expenditures in the Executive Departments. House Concurrent Resolution 151. Concurrent resolution against adoption of Reorganization Plan No. 2 of May 16, 1946; without amendment (Rept. No. 2327). Referred to the Committee of the Whole House on the State of the Union.

Mr. JUDD: Committee on Expenditures in the Executive Departments. House Concurrent Resolution 154. Concurrent resolution against adoption of Reorganization Plan No. 3 of May 16, 1946; without amendment (Rept. No. 2328). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FULLER:

H. R. 6858. A bill to amend the act of May 22, 1896, so as to include posts of the Italian-American World War Veterans of the United States, Inc.; to the Committee on Military Affairs.

By Mr. McMILLAN of South Carolina:

H. R. 6859. A bill to amend section 121 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, to authorize the appointment of three additional deputies for the register of wills; to the Committee on the District of Columbia.

By Mr. MORRISON:

H. R. 6860. A bill to provide that disabled veterans of World War II who elect to receive the educational benefits granted by part VIII of Veterans Regulation No. 1 (a) shall receive the entire subsistence allowance provided by such part; to the Committee on World War Veterans' Legislation.

H. R. 6861. A bill to provide adjusted-service pay for those persons who served in the armed forces of the United States during the present war, and for other purposes; to the Committee on Ways and Means.

H. R. 6862. A bill to amend the Federal Alcohol Administration Act with respect to provisions concerning basic permits; to the Committee on Ways and Means.

H. R. 6863. A bill to provide that automatic national service life insurance as to deceased veterans of World War II shall be payable, in turn, to their widows, children, and parents, if any, without any requirement, as at present, as to their dependency; to the Committee on World War Veterans' Legislation.

H. R. 6864. A bill to extend certain educational benefits granted to veterans of World War II by part VIII of Veterans Regulation No. 1 (a) to veterans now ineligible for such benefits on account of age; to the Committee on World War Veterans' Legislation.

By Mr. RANDOLPH:

H. R. 6865. A bill to amend the Liquor Tax Administration Act, approved June 26, 1936; to the Committee on Ways and Means.

By Mr. WASIELEWSKI:

H. R. 6866. A bill to provide relief from tax on income to be paid or permanently set aside or used exclusively for religious, charitable, or educational purposes; to the Committee on Ways and Means.

By Mr. HARLESS of Arizona:

H. R. 6867. A bill providing for the erection at the seat of the United Nations of a monument symbolizing peace; to the Committee on Foreign Affairs.

By Mr. McMILLAN of South Carolina:

H. R. 6868. A bill to provide for the payment of the expenses of the National Capital Park and Planning Commission wholly from Federal funds; to the Committee on the District of Columbia.

By Mr. GOSSETT:

H. R. 6869. A bill to amend the immigration and naturalization laws to deny admission to the United States of certain aliens who have served in the armed forces of countries at war with the United States, also members of certain parties and organizations, and to deny naturalization to such persons, and to deny admission to the United States of persons who the Attorney General knows or has reason to believe seek to enter the United States for the purpose of engaging in activities which will endanger the public safety of the United States; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. O'BRIEN of Illinois:

H. R. 6870. A bill for the relief of Francesco Ambrosio; to the Committee on Immigration and Naturalization.

By Mr. OUTLAND:

H. R. 6871. A bill for the relief of Shiro George Nakamura; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2030. By Mr. GOODWIN: Resolution of the New England Council, adopted at its eighty-third quarterly meeting, concerning enactment of protective labor legislation; to the Committee on Labor.

2031. By Mr. SMITH of Wisconsin: Petition of the Tavern League of Racine, Inc., at Racine, Wis., asking our elected Repre-

REORGANIZATION PLAN NO. 3 OF 1946

JUNE 24, 1946.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. JUDD, from the Committee on Expenditures in the Executive Departments, submitted the following

REPORT

[To accompany H. Con. Res. 154]

The Committee on Expenditures in the Executive Departments, to whom was referred the concurrent resolution (H. Con. Res. 154) against adoption of Reorganization Plan No. 3 of May 16, 1946, having considered the same, report favorably thereon without amendment and recommend that the concurrent resolution do pass.

On December 20, 1945, the President approved H. R. 4129, Public Law 263, known as the Reorganization Act of 1945. The Committee on Expenditures in the Executive Departments and the Congress recognized the need for reorganization of the executive departments. Section 2 of Public Law 263 of the Seventy-ninth Congress contains the following provisions:

SEC. 2. (a) The President shall examine and from time to time reexamine the reorganization of all agencies of the Government and shall determine what changes therein are necessary to accomplish the following purposes:

- (1) to facilitate orderly transition from war to peace;
- (2) to reduce expenditures and promote economy, to the fullest extent consistent with the efficient operation of the Government;
- (3) to increase the efficiency of the operations of the Government to the fullest extent practicable within the revenues;
- (4) to group, coordinate, and consolidate agencies and functions of the Government, as nearly as may be, according to major purposes;
- (5) to reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies or functions thereof as may not be necessary for the efficient conduct of the Government; and
- (6) to eliminate overlapping and duplication of effort.

(b) The Congress declares that the public interest demands the carrying out of the purposes specified in subsection (a) and that such purposes may be accomplished in great measure by proceeding under the provisions of this Act, and can be accomplished more speedily thereby than by the enactment of specific legislation.

NOTHING RELEVANT

TO

BUREAU OF LAND MANAGEMENT

that plan No. 2 should be approved and that the pending House Concurrent Resolution 151 should be rejected. If we are for reorganization, we should say so. If we are against reorganization, that issue is settled by the passage of the Reorganization Act.

Something was said as I have stated about the legality of the abolition of the Employees' Compensation Commission. Congress settled that question when it passed the Reorganization Act. I concur with the Department of Justice that that act is valid and the proposed reorganization of the Congress is legal.

I repeat, plan No. 2 should be approved and that the resolution in opposition to the plan should be rejected.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANASCO. I yield five additional minutes to the gentleman.

REORGANIZATION PLAN NO. 3, HOUSE CONCURRENT RESOLUTION 154

Mr. WHITTINGTON. Mr. Chairman, the Committee on Expenditures by a divided vote disapproved section 261 of plan 3 respecting the functions of St. Elizabeths Hospital, and they recommended against plan 3 because it would transfer or abolish functions for which St. Elizabeths Hospital was established. Section 261 is part II of the plan. There are nine other parts of the plan and according to the hearings there are substantially no sound protests against the other nine parts of the plan. I have high regard for the views of the gentleman from Minnesota (Mr. Judd) who submitted the resolution to reject plan 3. I cannot concur.

The plan provides for the transfer of the responsibility for the care of military and naval mental patients from St. Elizabeths Hospital to the War and Navy Departments. It is contended that this transfer would reduce the effectiveness of the institution as a teaching hospital. The answer is that the load at St. Elizabeths without the patients from the Army and Navy is equal to the capacity of the plant. Its further growth would make the plant unwieldy. The high standards maintained would be threatened. The War and Navy Departments provide extensive medical service, including the care of the insane, for Army and Navy patients. The effect of the plan is to extend on a permanent basis the organizational arrangements which have been developed at the close of the war. I repeat that there is less merit in opposition to plan 3 than the opposition to any of the proposed plans. I have already indicated that the functions of the Board of Visitors of St. Elizabeths Hospital overlap the functions of the Federal Security Administrator. The performance by the Board of statutory functions that are long outdated would mean a dual control of the institution and would seriously interfere with its administration. It might be admitted for the sake of the argument that point 2 of plan 3 might well have been omitted, but here are nine parts without substantial objection will promote efficient regrouping, coordination, and reorganization. There is a reduction in expenses. There will be an increase in efficiency.

BUREAU OF MARINE INSPECTION AND NAVIGATION

While there was objection to part 1 which includes sections 101, 102, 103, and 104 of plan No. 3 to the continuance of the Marine Inspection under the Coast Guard, the objections were not very impressive. The arguments of those who opposed were not convincing. I was impressed that part 1 was really one of the most constructive provisions in the reorganization plan No. 3.

The Coast Guard is an excellent institution. It has a good reputation. It has a responsibility in maritime safety. Air, sea patrol, and rescue operations are being developed. The close relationship between the Coast Guard and the Bureau of Marine Inspection and Navigation is obvious. While it has a military form of organization, the Coast Guard in peace is not a military organization in the same sense as the Army and Navy. It was composed of men who wanted to follow the sea as a career, and not as a part of the fighting force.

The rejection of part 1 of plan No. 3 means that the Bureau of Inspection would go back under the Department of Commerce. There is certainly a lot more reason for its being under the Coast Guard. There are no reasons for its being returned to the Department of Commerce. When it was under Commerce, there was an antiquated, ineffective administration. It has been under the Coast Guard for 4 years. It has improved vastly. There is no occasion for the fears of the workmen. It has been tried for 4 years. Experience is better than fear. There are other parts of part 1 that were most meritorious. There were no objections. On the whole I believe that Marine Inspection and Navigation would be promoted by being under the Coast Guard rather than being returned to the Department of Commerce. It is rather strange that the Department of Commerce did not oppose the Marine Inspection and Navigation continuing under the Coast Guard.

THE ISSUE

The issue is clear cut. If we block the reorganization of the executive branch we thereby set back reorganization. We refuse to permit the President to do what Congress has been unable to do. We either want reorganization or we do not want reorganization. Plan 3 conforms to the purposes, and the plan is in accordance with the provisions of the Reorganization Act. Much is said about there not being a 25-percent reduction in all the agencies embraced in plan 3. The Reorganization Act expressed a hope for an over-all reduction in administrative expenses of the Government of 25 percent. It was not confined to any other plan. I believe that the pending Resolution 154 rejecting plan 3 should be defeated and that plan 3 should be approved. The defeat of the pending resolution will promote reorganization and efficiency in Government.

It will be kept in mind that after all the costs of the ordinary normal functions of the Government are a small part of the annual appropriations. Not more than one-fourth of the appropriations

are involved in Government reorganization. The costs of wars, past and present, and of maintaining the Army and the Navy take substantially 80 to 85 percent of every tax dollar. I do not, however, minimize the importance of reorganization and of the reduction of the costs of Government. I believe reorganization should reduce the expenses of Government. I emphasize that, after all, expenses can be reduced where there is a will to reduce. The cost of any agency or department depends more upon the administration than upon the actual provisions of the act.

No Federal agency, no Federal employee ever asked either the Congress or the Executive for reorganization.

I now yield to the gentleman from Minnesota, Mr. Judd.

Mr. JUDD. The gentleman says these plans are 85 percent good, and I agree with him. Would he not prefer to have them 100 percent good, if that can be done without serious difficulty?

Mr. WHITTINGTON. Of course, I would, and I have so stated. But, frankly, if that argument were followed to its conclusion, every bill voted on by Congress would be sent back to the committee, because you and I did not agree with 10 percent of it. With all due deference to the gentleman, and I like him. I like his views about St. Elizabeths, and I told him frankly that I would have left it out had I been writing reorganization plan 3, but I think there is involved a substantial reorganization and regrouping in plan 3 that, in my judgment, does not warrant the Congress constantly criticizing bureaucracy, waste, and extravagance, in rejecting a plan that is 90 percent good.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. CHURCH. The gentleman referred to the Veterans' Administration, headed by one Administrator, and then he compared that with Federal employees.

Mr. WHITTINGTON. What is the question, please?

Mr. CHURCH. They are working for the Government. The veterans are not working for the Government. Give them a fair show with their bipartisan board.

Mr. WHITTINGTON. In my judgment, the man who offered his life upon the altar of his country is entitled, to say the least of it, to just as careful and just as judicial consideration as the man who works for his Government.

Mr. CHURCH. But he is not on the pay roll.

Mr. WHITTINGTON. I have answered the gentleman's question. I yield to the gentleman from Indiana (Mr. HALLECK), and I trust he will not make a speech about Civil Aeronautics Administration.

Mr. HALLECK. I am glad to know the gentleman is opposed to plan No. 1. I am surprised that he is not opposed to the other two plans.

Mr. WHITTINGTON. What is the question, please?

Mr. HALLECK. You have referred to the fact that the Employees' Compensation Commission, after all, has no real function. I have in my hand pages from the United States Government Manual which recites the functions of that Commission. With your permission, I will put those in the RECORD.

Mr. WHITTINGTON. I am thoroughly familiar with them. I will refer to them. I am familiar with the act. I want to be clear in response to your question because the gentleman means to be fair.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. Mr. MANASCO. Mr. Chairman, I yield the gentleman the balance of the time.

The CHAIRMAN. The gentleman is recognized for six more minutes.

Mr. WHITTINGTON. I stated that when we passed the Reorganization Act we provided for the transfer of functions. That is exactly what would obtain in transferring it to a single administrator.

Mr. HALLECK. Will the gentleman yield further?

Mr. WHITTINGTON. I yield.

Mr. HALLECK. I think the committee is entitled to know what the Commission says its functions are.

Mr. WHITTINGTON. I know what they are. I do not want to conceal anything. I want to yield to other Members and my time is limited.

Mr. HALLECK. It will take only a minute to read these into the RECORD.

Mr. WHITTINGTON. Everybody in this Congress knows that it is physically impossible for three persons on a board to pass on the claims of hundreds of thousands of employees. We know in practice that they have to be handled by examiners.

Mr. HALLECK. But we know that in practice and in operation they run the affairs of the Commission.

Mr. WHITTINGTON. Yes. I am glad to have your views, always.

I yield to the gentleman from Kentucky.

Mr. MAY. I hope I can get along with my colleague without any controversy. I understood you to say there was very little abolition and very little saving of funds in any of the plans. When I voted to authorize the President to reorganize the executive agencies of Government, I thought I was voting for authority to abolish some of them so as to save money and eliminate bureaucracy.

Mr. WHITTINGTON. Yes.

Mr. MAY. Now, have we got any of that relief?

Mr. WHITTINGTON. Yes, we have. I said there were no major abolitions and that there were no major savings or economies. We talk about reorganization as we do about the weather, but we do not do very much about it. I want to be fair. I stated it was hard for the President to reorganize. We have not done it in Congress. Let us keep in mind that substantially 80 to 85 cents out of every dollar that we appropriate has nothing to do with reorganization or administration. It goes to wars past and future and to the Army and the Navy. I wish to be fair and say there were

no savings of major amount. There were savings but they were not major.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. RANDOLPH. The gentleman mentioned, in his clear-cut and helpful statement, that there are 28 items contained in the 3 plans. It is fair to say that 12 of those items actually concern consolidation of programs and agencies. Therefore, we do get economy, do we not?

Mr. WHITTINGTON. I stated that, but I wanted to be fair and I stated there are no major economies, because frankly these 28 agencies are not agencies that ought to cause the Congress of the United States to take issue with the Chief Executive except in one case. I stated I came to the conclusion to oppose plan 1 reluctantly. That was with reference to National Housing.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. RICH. There are certain items in these plans that we all agree are satisfactory. The gentleman states there is 20 percent of these plans that he does not like. Why not send the plans back to the President? He could send them back here within a week's time with the objectionable features eliminated and the Congress would agree to them.

Mr. WHITTINGTON. I have answered the gentleman's question by saying that no plans that could be offered would be 100 percent satisfactory to all the Members of Congress. I think that when the President submits a plan that is 80 or 90 percent satisfactory that he has done a pretty good job.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. BENDER. I know the gentleman is always fair and I have always admired his fairness. I want the gentleman to point out to the committee, since he is the last speaker—

Mr. WHITTINGTON. What is the gentleman's question, please?

Mr. BENDER. Since the gentleman is the last speaker and since he is expressing his own views I would like the gentleman to answer whether or not he is expressing the views of the majority of the committee.

Mr. WHITTINGTON. I do not speak for the majority of the committee. As I indicated at the very inception of my argument even a majority of the committee makes mistakes. They made mistakes in reporting unfavorably all three plans. I agree on one resolution. I know the gentleman's views. I differ with him.

Mr. BENDER. But only three Members voted for any one plan.

Mr. WHITTINGTON. I stated the situation in the opening of my argument. I stated, furthermore, that in my judgment, it is not a question of what the committee did but it is a question of what the committee did that can be supported, that can stand careful analysis, that can be supported in fact and in argument; and in my judgment, I have stated that the only fundamental policy that the Congress of the United States has thus far not adopted, that is pro-

posed in these three plans, is that continuing the wartime National Housing Agency that the Congress has not authorized, and I think reluctantly much as I would like to vote for reorganization, that Congress is justified in voting against plan 1; but notwithstanding their defects, whether they be 10 percent, 5 percent, or 15 percent incorrect, Congress is not justified in disapproving plans 2 and 3.

Congress itself has not reorganized in 40 years. We might just as well admit that when we reject these reorganization plans we are setting back reorganization. The President of the United States, according to the testimony of all the witnesses, submitted a satisfactory plan with the exception of about five items.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield briefly.

Mr. CHURCH. Does not the gentleman feel that since the committee reported against all three plans—

Mr. WHITTINGTON. That is not a question, that is just a statement in accord with the gentleman's views. I decline to yield further.

I believe that plan 1 should be rejected but I do urge that plans 2 and 3 should be approved.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. All time has expired.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress does not favor the reorganization plan No. 1 of May 16, 1946, transmitted to Congress by the President on the 16th of May 1946.

Resolved by the House of Representatives (the Senate concurring), That the Congress does not favor the reorganization plan No. 2 of May 16, 1946, transmitted to Congress by the President on the 16th day of May 1946.

Resolved by the House of Representatives (the Senate concurring), That the Congress does not favor the reorganization plan No. 3 of May 16, 1946, transmitted to Congress by the President on the 16th day of May 1946.

Mr. KEEFE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEEFE. The Clerk has now read the three concurrent resolutions with respect to plans Nos. 1, 2, and 3. Do I understand the proposal is that we vote on these resolutions en bloc?

The CHAIRMAN. Under the order of the House, they will be taken up separately when we go back into the House.

Mr. WHITTINGTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WHITTINGTON. The gentleman asked whether or not we would vote on these resolutions separately or en bloc in the Committee. It strikes me—and I propound this inquiry of the Chair—even though it may be in order to vote on them en bloc, could we not ask for a division of the question and they be voted on separately in Committee?

The CHAIRMAN. The Chair will say that the order of the House is that they be considered en bloc in the Committee.

Mr. DONDERO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONDERO. Mr. Chairman, the wording of the three resolutions is such that if one desires to vote against the reorganization plan, should he vote "aye" or "no"?

The CHAIRMAN. In the House, if you want to disapprove the plan you would vote "aye."

Mr. MANASCO. Mr. Chairman, I move that the Committee do now rise and report back to the House, House Concurrent Resolutions 155, 151, and 154, with the recommendation that the several resolutions be passed.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. THOMAS of Texas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration House Concurrent Resolutions 155, 151, and 154 had directed him to report them back to the House with the recommendation that each of the resolutions do pass.

The SPEAKER. Under order of the House each resolution must be voted on separately.

The question is on House Concurrent Resolution 155, which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress does not favor the reorganization plan No. 3 of May 16, 1946, transmitted to Congress by the President on the 16th of May 1946.

Mr. MANASCO. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. RANDOLPH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANDOLPH. In reference to the three votes on plans Nos. 1, 2, and 3, a vote of "no" would be in support of the Presidential recommendation, a vote of "aye" to override the President, is that correct?

The SPEAKER. A vote of "aye" will adopt the resolution rejecting the President's plan.

The question is on House Concurrent Resolution 155.

The question was taken; and on a division (demanded by Mr. RANDOLPH) there were—ayes 180, noes 37.

So the concurrent resolution was agreed to.

The SPEAKER. The Clerk will report Concurrent Resolution 151.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress does not favor the reorganization plan No. 2 of May 16, 1946, transmitted to Congress by the President on the 16th day of May 1946.

The SPEAKER. The question is on the concurrent resolution.

The question was taken; and on a division (demanded by Mr. RANDOLPH) there were—ayes 166, noes 40.

Mr. WHITTINGTON. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

Mr. RANDOLPH. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and forty Members are present, a quorum.

So the concurrent resolution was agreed to.

The SPEAKER. The Clerk will report the next resolution (H. Con. Res. 154).

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress does not favor the reorganization plan No. 3 of May 16, 1946, transmitted to Congress by the President on the 16th day of May 1946.

The SPEAKER. The question is on the concurrent resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. RANDOLPH. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the concurrent resolution was agreed to.

THIRD DEFICIENCY APPROPRIATION BILL,
1946

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6885) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1947, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6885, with Mr. COOLEY in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For all necessary expenses of the Office of Defense Transportation, fiscal year 1947, including salary of the Director at not to exceed \$12,000, and the Deputy Director at \$10,000, traveling expenses (not to exceed \$50,000), including reimbursement, at not to exceed 4 cents per mile, of employees or others rendering service to said Office for official travel performed by them in privately owned automobiles within the limits of their official stations and attendance at meetings of organizations concerned with the work of the agency; personal services in the District of Columbia and elsewhere; contract stenographic reporting services; law books, books of reference, newspapers, and periodicals; maintenance, operation and repair of passenger automobiles; acceptance and utilization of voluntary and uncompensated services; printing and binding (not to exceed \$10,000); not to exceed \$4,000 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the Act of June 28, 1944 (Public Law 364); payment, at rates not in excess of those fixed by law for witnesses attending in United States courts (28 U. S. C. 600c), of fees, mileage, and subsistence of witnesses appearing at hearing held by the Office of Defense

Transportation in connection with the performance of its functions; \$525,000; *Provided*, That the payment of subsistence to witnesses shall be subject to certification by the Director of the Office of Defense Transportation or his designee as to the necessity therefor; *Provided further*, That in operating any commercial railroad or truck line the Office of Defense Transportation shall pay whatever license or inspection fees and highway use compensation taxes such lines would have been obligated to pay had they continued in operation under the control of the owners thereof.

Mr. CANNON of Missouri. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that the Clerk read a letter which I send to the desk.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read as follows:

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION.

June 28, 1946.

DEAR CLARENCE: I have just written to Representative JOHN TABER concerning his amendment. I sincerely hope that the Taber amendment will be reconsidered, since it limits the use of funds for shipments after December 31, 1946, and March 31, 1947, to Europe and China, respectively.

You will recall that a limitation now applicable to the present appropriation is in the law. That fixes the date of shipment to June 1947, affording ample time to clear the European situation.

The amendment will not do what is contemplated. It will waste some \$300,000,000 worth of food, supplies, and equipment for which deliveries to UNRRA cannot be made within that time. It will tie up food, material, and equipment paid for by other contributing nations. The operations are centrally controlled, and there is no way in which operating, administrative, communication, and transportation costs can be separated from the general fund. For instance, an order of 75 locomotives from Australia for China out of the Australian contribution, now in manufacture to be delivered about midsummer of 1947, though originally intended for early 1947, could not be shipped in time. This is but an illustration. There are several hundreds of such orders. Agricultural machinery on order in this country which should be in process of delivery now, in all likelihood we will not get until after the 1st of the year because of stoppage of production caused by strikes. The same is true of water and sewer pipes which should have been shipped weeks ago. These have been delayed and we will not get them until the end of the year because of, first, the steel strike, and then the coal strike. I could go on indefinitely and give you instance after instance.

As I testified before the committee, I estimate that it would be about March or April before European shipments will have been completed, and perhaps the fall of 1947 for China. I do not see how it would be possible to carry out the intent of the limitation on the dates fixed by the Taber amendment without simply junking some \$200,000,000 to \$300,000,000 worth of supplies that would be on hand and could not be shipped. The United States has enough surplus supplies on our hands now. I am sure you will agree.

Calendar No. 1706

79TH CONGRESS }
2d Session }

SENATE

} REPORT
{ No. 1672

REORGANIZATION PLAN NO. 3

JULY 9 (legislative day, JULY 5), 1946.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. Con. Res. 66]

The Committee on the Judiciary, to whom was referred the concurrent resolution (S. Con. Res. 66) disapproving Reorganization Plan No. 3, having considered the same, report unfavorably thereon with the recommendation that the concurrent resolution be disapproved.

INTRODUCTION

Enactment of the Reorganization Act of 1945 involved a broad grant of discretion by the Congress, to the President, to reorganize the executive branch of the Government in accordance with what he considered sound administrative principle, subject to certain mandates and prohibitions specifically written into the act.

Under the provisions of the Reorganization Act, each plan must be approved or rejected as a whole; component parts of a plan cannot be acted upon separately.

It was well recognized by the Congress—and commented upon in committee and on the floor—that whatever the President might propose with respect to curtailment of the powers or functions of any particular department or agency probably would be subject to objections from that agency and from a certain satellite segment of public opinion which could be readily influenced by that agency. Since such objections were expected, it seems reasonable to assume it was the will of the Congress that the President's decisions with respect to policy and with respect to the advisability and desirability of such changes as he might propose should be, if not controlling, at least strongly persuasive.

The Congress gave the President certain powers. The Congress will hold the President responsible for the effectiveness and efficiency of the administration of the executive branch and for the results of any reorganizations which may be put into effect. The responsibility for

results is wholly the President's. Therefore, it seems entirely reasonable to contend, as the administration does contend, that the President's proposals should not be lightly rejected because of a mere challenge to the wisdom or desirability of any particular proposed reorganization.

It is important, therefore, to distinguish clearly between objections to and criticisms of any individual reorganization plan, or items therein which are based upon questions of expediency, policy, or desirability. In the analysis which follows, this distinction is made, and the two kinds of objections are separately set forth.

Enactment of the Reorganization Act of 1945 clearly evidenced a desire by the Congress that reorganization of the executive branch shall be accomplished. Certainly, therefore, while it is clearly the duty of the Congress to examine each plan, and each component of each plan, with the greatest care to determine whether it complies in every respect with the provisions of the Reorganization Act of 1945, the illegality of a plan, or of any particular provision of a plan, should be clearly evident in order to justify rejection of the plan, since such rejection would be, in effect, in derogation of the will of the Congress that there shall be reorganization in the executive branch.

In this connection, it should be borne in mind at all times that the Attorney General of the United States has stated unequivocally his own complete approval of the legality of each of the reorganization plans transmitted by the President and of all of the provisions therein.

It has been argued, as a general objection to these three reorganization plans, that they do not provide for specific savings in dollars and cents and that savings of at least 25 percent are contemplated by the Reorganization Act.

While witnesses at the hearings have been reluctant to testify concerning prospective savings, a partially inconclusive study made by the committee staff indicates that savings of approximately \$500,000 may perhaps be reasonably anticipated, on the basis of a comparison of the costs of administration, in the event these plans become operative, with the costs of administration if the agencies affected continue on the present basis or revert to their permanent prewar status. Entirely aside from this point, however, it should be noted that the Reorganization Act does not specifically require savings; and that the language with respect to the expectation of Congress in that regard was rewritten so as to be applicable not to any particular reorganization plan or plans but as an over-all expectation with respect to all reorganizations proposed by the President under the act. Since it has been testified that other reorganization plans are in process of formulation and will be submitted at a later date, it does not appear to be essential, as a matter of law, that any specific savings should be demonstrated as certain to occur under the plans now before the Congress.

Questioning of Government witnesses at the hearings was purposely very explicit on many points which seemed to require clarification either of the intent of the plan or of the interpretation which would be placed upon certain provisions of the plan. With respect to such matters of intent and interpretation, the committee wishes to point out that the testimony of Government witnesses, particularly those who worked on the plans while they were in process of preparation, must be considered controlling as to intent; and that such testimony

is equally controlling as to interpretation, unless the Congress shall clearly and specifically indicate otherwise. It has been the purpose of the committee, in raising these various issues during the hearings, to lay a foundation for a rational interpretation and administration of these reorganization plans and to resolve in advance, as far as possible, and to the extent that such questions can be anticipated, the many questions which may be expected to arise in the event the plans become effective. Thus, in approving any one of these plans, the Congress will be approving not merely the language of the plan as set forth and explained in the President's message transmitted to the Congress but also the interpretation and intent of the plan, or any provision thereof, as explained by Government witnesses at the hearings, unless the contrary intent of the committee or the Congress shall be otherwise clearly expressed.

DISCUSSION

Reorganization Plan No. 3 of 1946, was transmitted to the Senate on May 16. The President's message of transmittal, and the text of the plan, have been printed as House Document 596, Seventy-ninth Congress, second session. In this report each section of the plan will be taken up in order. Specific objections made to the provisions of any section will be noted and discussed.

SECTION 101

This section transfers to the Commandant of the Coast Guard functions of the Bureau of Marine Inspection and Navigation, the office of the Director thereof, the offices of supervising inspectors, principal traveling inspectors, etc.; and abolishes the Marine Casualty Investigation Board, the marine boards, the Board of Supervising Inspectors, and the boards of local inspectors. It further transfers to the Coast Guard those functions of the Secretary of Commerce which pertain to the approval of plans for the construction, repair, and alteration of vessels; approval of materials, equipment, and appliances, licensing of pilots and seamen, promulgation and enforcement of "rules of the road," etc. In addition, the functions relating to the award of numbers to undocumented vessels, vested by law in the collector of customs, are also transferred to the Commandant of the Coast Guard.

Legal objections

The only objection which might be assumed to go to the legality of this section was raised by Mr. James E. Moss, Director of the Division of Transportation of the American Petroleum Institute, who stated in substance that since the plan transfers only the functions of the Bureau of Marine Inspection and Navigation to the Coast Guard and at the same time abolishes both the titles and the organization created by Congress for the effective performance of these functions, it is illegal and an improper delegation of authority, in that sufficient provision is not made for the manner in which the Commandant of the Coast Guard shall carry out the functions transferred.

In answer to this objection, the Commandant of the Coast Guard, Admiral Farley, testified that as far as he knew the same procedures as were employed by the Bureau would continue to be employed by the Coast Guard.

Legal objections

None.

Nonlegal objections

None.

SECTION 401

This section transfers to the Department of the Interior the house-keeping functions in connection with the Franklin D. Roosevelt Library.

(While there is nothing in this section which places the transferred functions under the National Park Service, Government witnesses testified that the intent is that such functions shall be placed under the National Park Service, and that there is no other logical place to put them.)

Legal objections

None.

Nonlegal objections

None.

SECTION 402

This section transfers to the Secretary of the Interior functions now exercised by the Secretary of Agriculture with respect to the leasing of certain mineral deposits in lands acquired by the Department of Agriculture under certain cited statutes.

Testimony at the hearings made it very clear that this section does not convey any authority to the Secretary of the Interior, with respect to the licensing of mineral deposits, which is not now possessed and exercised by the Secretary of Agriculture.

(Attention is directed to the chart at p. 338 of the hearings, showing the acreage of lands, in each State, affected by this proposed transfer.)

Legal objections

None.

Nonlegal objections

None.

SECTION 403

This section would merge the Grazing Service and the General Land Office to create a new Bureau of Land Management within the Department of the Interior. It is a strictly intra-agency adjustment.

While the provisions with respect to the creation of the proposed Bureau of Land Management have naturally caused some concern, and have been subjected to the closest scrutiny, particularly by Members of the Congress from public-lands States, it is perhaps significant that no concrete or specific objections have been raised to this proposal, and that those who have studied it most closely have expressed the view that the President's proposal does not appear to have any obvious faults, and, in fact, may be expected to result in some much-needed improvement in the Federal administration of public-lands matters. If coupled with a more liberal administration of the public lands, a cessation of public-lands withdrawals, and a return of substantial portions of lands hitherto withdrawn, the President's proposal might

well operate to remove an appreciable part of the dissatisfaction with Government public-lands policy which users of the public domain have for many years continuously and increasingly expressed.

Government witnesses testified that the work now performed by registers of land offices will be continued if this plan becomes effective, and will continue to be performed at the local level. No attempt, it was declared, will be made to centralize this work or to take it away from the field, even to the extent of consolidating it by regions.

(Government witnesses furnished the committee with a statement indicating that statutory provisions now applicable to land under the control of the Grazing Service will not automatically become applicable to land now under the control of the General Land Office, as a result of creation of the new Bureau of Land Management; and, similarly, that statutory provisions now applicable to land under control of the General Land Office will not become applicable automatically to land now under control of the Grazing Service. This statement appears at p. 341 of the hearings.)

Legal objections

None.

Nonlegal objections

None.

SECTION 501

This section transfers to the Secretary of Agriculture (a) the functions and duties of the Agricultural Adjustment Administration and the Surplus Marketing Administration and (b) the administration of the programs of the Federal Crop Insurance Corporation and the Commodity Credit Corporation.

(Government witnesses testified that while the provisions of this section will give the Secretary of Agriculture complete control of the programs of the Federal Crop Insurance Corporation and the Commodity Credit Corporation, these Corporations would continue in existence as corporate entities. There was apparently some confusion as to whether the President's plan intended that the programs of these Corporations should be administered by the Secretary of Agriculture through the Corporations, or in some other manner; and in view of this uncertainty, it is probable that the plan would permit the Secretary to adopt whatever course, in this regard, he might choose to pursue.)

Legal objections

None.

Nonlegal objections

None.

SECTION 601

This section transfers to the Secretary of Commerce, to be performed wherever in the Department of Commerce he may designate, certain functions of the Bureau of Standards and the Division of Simplified Trade and Practices thereof, relating to assistance to business and trade groups in the establishment and promotion of commercial standards and simplified practices.

Hart	Magnuson	Smith
Hawkes	Mead	Stanfill
Hayden	Milliken	Stewart
Hill	Mitchell	Swift
Hoey	Moore	Taft
Huffman	Moise	Taylor
Johnson, Colo.	Murdoch	Thomas, Okla.
Johnson, S. C.	Murray	Thomas, Utah
Kugere	Nyers	Tunnell
Knowland	O'Daniel	Wagner
La Follette	O'Mahoney	Walsh
Langer	Overton	Wherry
Lucas	Pepper	White
McCarran	Reed	Wiley
McClellan	Revercomb	Wilson
McKellar	Robertson	Young
McMahon	Russell	

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY] is absent because of illness.

The Senator from South Carolina [Mr. MAYBANK], and the Senator from Montana [Mr. WHEELER] are absent by leave of the Senate.

The Senator from Mississippi [Mr. BILBO], the Senator from Arizona [Mr. MCFARLAND], and the Senator from Maryland [Mr. RADCLIFFE] are detained on public business.

The Senator from Virginia [Mr. BYRD] is detained on official business.

The Senator from New Mexico [Mr. HATCH] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Louisiana [Mr. ELLENDER], and the Senator from Maryland [Mr. TYDINGS] are absent on official business, having been appointed to the commission on the part of the Senate to participate in the Philippine independence ceremonies.

The Senator from Texas [Mr. CONNALLY] is absent on official business, attending the Paris meeting of the Council of Foreign Ministers as an adviser to the Secretary of State.

Mr. WHERRY. The Senator from Michigan [Mr. VANDENBERG] is absent on official business attending the Paris meeting of the Council of Foreign Ministers as an adviser to the Secretary of State.

The Senator from Massachusetts [Mr. SALTONSTALL] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Iowa [Mr. HICKENLOOPER] is absent by leave of the Senate on official business as a member of the Special Committee on Atomic Energy.

The Senator from Nebraska [Mr. BUTLER] is absent on official business, being a member of the Commission appointed to attend the Philippine Independence ceremonies.

The Senator from Minnesota [Mr. SHIPSTEAD] is absent by leave of the Senate.

The Senator from Maine [Mr. BREWSTER] and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The PRESIDING OFFICER [Mr. HOEY in the chair]. Seventy-seven Senators having answered to their names, a quorum is present.

REORGANIZATION PLAN NO. 3

The Senate resumed consideration of the concurrent resolution (S. Con. Res.

66) disapproving reorganization plan No. 3, transmitted to Congress by the President on May 16, 1946, which resolution had been reported adversely by the Committee on the Judiciary.

Mr. BARKLEY. Mr. President, under the law governing the procedure on the reorganization plan there may be not to exceed 10 hours debate, to be equally divided among those who favor and those who oppose it. In order that there may be some order in determining control of that time, I ask unanimous consent that the Senator from Nevada [Mr. MCCARRAN], chairman of the Committee on the Judiciary, control 5 hours in behalf of the reorganization plan No. 3, and that the ranking minority Member, the Senator from Wisconsin [Mr. WILEY], control the other 5 hours on the other side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WILEY. I spoke to the distinguished majority leader informally about the matter of 5 hours on each side, to get his idea of whether we could not agree that on the pending concurrent resolution debate be limited to 1 hour on each side.

Mr. BARKLEY. No, Mr. President, I cannot enter into any agreement respecting limitation at this time. The law provides that there may be not to exceed 10 hours' debate, which would provide 5 hours on each side. Certainly before we even start the debate I could not enter into such an agreement. I do not know what Senators desire to speak or the length of any proposed speech. I cannot agree to limitation of time now.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. There are three reorganization plans. We have two days in which to discuss them, today and Monday. The ordinary meeting of the Senate for those 2 days would give approximately 10 hours for all three plans. I am sure the Senator does not wish to interfere with the Senate having a vote on each of the three plans. Therefore, it seems to me a very reasonable request that the debate on this plan be limited. I do not know what the various objections may be to the plan, but so far as I can find there seems to be much less objection to plan No. 3 than there is to plan No. 1 and plan No. 2. Therefore, I think the request suggested by the distinguished Senator from Wisconsin is a very reasonable one, and that we allot a less time, half of the afternoon, perhaps 2 hours or 2½ hours, to the discussion of plan No. 3.

I notice that the statute contemplates that that may be done. It says:

Debate on the resolution shall be limited to not to exceed 10 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable.

So that it is clearly contemplated that the Senate, in its wisdom, may decide to make the time of debate shorter than the 10 hours. It seems to me that by unanimous consent it would be a very reasonable proposal to limit debate on

plan No. 3 to perhaps 2 hours, the debate on the next plan to 3 hours, and leave the third plan for debate on Monday.

Mr. BARKLEY. I think in all fairness it is not reasonable to ask me, before we start on the debate and before anyone knows which Senators will speak, or for how long, to agree to enter into a limitation of debate.

Mr. TAFT. If the Senator puts matter on that ground, I agree that it may be so, but I suggest then that I renew the request after perhaps an hour and that at that time we may agree to make the time shorter.

Mr. BARKLEY. I think we may be able to assess the number and length of speeches as the debate proceeds for while. I would rather not agree to limitation at this time.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. SMITH. I understand that under the law all these reorganization plans become law on Monday night next unless some action of disapproval is taken. In other words, the entire debate must be made on reorganization plan No. 1 and we might not even get to plan No. 2, and by the lapse of time those plans may become law. How do we surmount that difficulty?

Mr. BARKLEY. The law dealing with the subject is as Congress enacted. Congress provided that if 60 days after plan has been submitted no action taken by both Houses to disapprove, plan becomes effective. Congress thought that I do not wish in any way to convey the impression that I have any desire to prevent a vote on all three of the plans. But Congress fixed the period 60 days. I thought the time limit was into Tuesday, but I have been advised that the limitation is at midnight Monday night. It is, however, one of the things that happens in connection with many matters that come before us; we hope we may be able to dispose of all plans.

Mr. SMITH. Of course, that very situation points out so clearly why some of us objected to this kind of legislation. If any one of these plans becomes law it is a Government Executive order going into effect and becoming law without Congress having had an opportunity to pass upon it.

Mr. BARKLEY. That is true. Congress has known for a long time there never would be any reorganization unless we authorized the President to do it. Congress reserved its right to disapprove a 60-day period to disapprove any reorganization plan. That 60-day period about to expire. It will expire, so I told, Monday night at midnight. If that is true, we will have to dispose of the plans by that time. If not, they become automatically effective. But I do not think there has been any lack of urgency. There has been no deliberation made to postpone consideration of these matters. We have had other matters occupying all our time.

Mr. SMITH. I agree with the Senator.

Mr. BARKLEY. The concurrent resolution was reported only a few days ago. But Congress must have con-

plated the possibility of the present situation when it did what it did in the act fixing the 60-day period.

Mr. SMITH. That, of course, is true, but I am pointing out the difficulty we now confront.

Mr. BARKLEY. We will have to determine what may be done as we go along, I assume.

Mr. President, has my request been granted?

The PRESIDING OFFICER. It has been granted.

The Chair will state that the pending business before the Senate is Senate Concurrent Resolution 66, disapproving the reorganization plan No. 3.

In the Reorganization Act of 1945, the procedure for the consideration of the concurrent resolutions dealing with the pending reorganization plans is prescribed, and for this purpose is regarded as the rule of the Senate.

Debate on the pending concurrent resolution (S. Con. Res. 66) disapproving reorganization plan No. 3, is limited to 10 hours, and is to be equally divided between those favoring and those opposing the resolution.

Under the order of the Senate, the Senator from Nevada [Mr. McCARRAN] has charge of the time of those who favor the resolution, and the Senator from Wisconsin [Mr. WILLY] has charge of the time of those who disapprove it.

No amendment to, or motion to recommit, the resolution shall be in order.

Any appeal that may arise from a decision of the Presiding Officer on a procedural matter shall be decided without debate.

On the question of the final passage of Senate Concurrent Resolution 66, House Concurrent Resolution 154, opposing the adoption of reorganization plan No. 3, heretofore received from the House of Representatives, will be automatically substituted for the Senate concurrent resolution.

The Senator from Nevada is recognized.

Mr. BUCK. Mr. President, will the Senator yield?

Mr. McCARRAN. Mr. President, I should like to have one or two matters settled, perhaps by way of parliamentary inquiry. One question has just arisen now. The Senator from Delaware asked that I yield. Under the law as it stands and under the unanimous-consent agreement, I have 5 hours and the other side has 5 hours. That is, I have 5 hours of time to give out to those who may care to discuss the matter aside from myself. Likewise the Senator from Wisconsin has 5 hours of time to give out. If I yield to Senators during the course of this presentation what is the ruling of the Chair as to whether time taken by my having yielded shall count as a part of my 5 hours?

The PRESIDING OFFICER. The time so yielded will be chargeable against the Senator's 5 hours.

Mr. BUCK. Mr. President, will the Senator give me 5 seconds?

Mr. McCARRAN. Very well, I yield.

Mr. BUCK. I ask unanimous consent to be absent from the Senate for next week.

The PRESIDING OFFICER. Without objection, the request of the Senator from Delaware is granted.

Mr. McCARRAN. Mr. President, I hope that Senators will refrain so far as possible from asking us to yield during the time when we are presenting our views on this question.

It is scarcely necessary for me to mention the fact that the Congress of the United States enacted enabling legislation for the President, as the head of the Government, to reorganize the executive department of the Government. That statute has been in existence for several months. It is familiar to all of us, I hope. Pursuant to that statute the President, on the 16th day of May, filed three reorganization plans, known as reorganization plan No. 1, reorganization plan No. 2, and reorganization plan No. 3.

Time is running against these plans. At midnight on Monday next the plans, if not acted upon adversely by this body, will become effective. In view of that fact, I thought it best that we take up first reorganization plan No. 3, because, in all fairness to the Senate, I thought it would be best to take up these plans in a certain order. I have heard less objection to reorganization plan No. 3 than to the other plans. I thought, perchance, we might be able to concur in reorganization plan No. 3. It seemed to me that it might go through without very much opposition. I hope I am correct. I may be mistaken. I tried to catch the expressions as they came to me and to my committee from time to time. So, I have proposed to take up reorganization plan No. 3 first.

Let it be stated again, for purposes of clarity, that 10 hours of debate are allotted by law to each of these plans, to be divided equally between the respective sides. That is now being done.

On the calendar day of May 29, legislative day of March 5, 1946, as chairman of the Committee on the Judiciary, I submitted Senate Concurrent Resolution No. 66, which reads as follows:

Resolved, etc., That the Congress does not favor the reorganization plan No. 3 transmitted to Congress by the President on May 16, 1946.

The concurrent resolution was referred to the Committee on the Judiciary, and hearings were conducted as rapidly as we could conduct them. The hearings were held open as long as there appeared to be anyone who cared to appear either for or against the plan. At those hearings representatives of the Bureau of the Budget were present. At our special request a representative of the General Accounting Office was present. Other public officials were welcome, whether present or not; and those who cared to appear against the plan or in favor of it were given an opportunity to be heard. The hearings have been printed and are available to every Member of the Senate. I hope Senators will take the time to read the hearings.

At the conclusion of the hearings the testimony was printed and the question was submitted to the Committee on the Judiciary. Let it be said in all fairness

that the hearings were conducted with very few members of the Committee on the Judiciary present. Every day that we held hearings we gave notice to members of the Judiciary Committee. Those notices were served at the offices of the respective Members of the Senate, and they were called on the telephone in order, if possible, to assure their presence.

Notwithstanding that, very few members of the committee attended the hearings. In fact, on several occasions only one Senator attended, namely, the Senator who presided. It was impossible for the chairman of the committee to preside on every occasion, because he was engaged in the Appropriations Committee. Hence I called on other Senators to preside.

At the conclusion of the hearings the committee acted on each resolution separately. In the case of reorganization plan No. 3, the committee, pursuant to a vote, submitted the following report:

The Committee on the Judiciary, to whom was referred the concurrent resolution (S. Con. Res. 66) disapproving reorganization plan No. 3, having considered the same, report unfavorably thereon, with the recommendation that the concurrent resolution be disapproved.

In other words, Concurrent Resolution 66, which I submitted, and which was before the committee, and which is in negative form, was disapproved. To make that clear, the committee, by vote, approved the plan. Let that be understood. It is slightly involved because the concurrent resolution is in the negative form; but the committee disapproved the concurrent resolution. Thus the committee approved reorganization plan No. 3. So reorganization plan No. 3 stands before the Senate today approved by its Judiciary Committee.

Let me be fair again with Members of the Senate. The vote was not unanimous. The committee was divided, and there was a reasonable majority of Senators who either were not sufficiently advised as to the plan or who were opposed to the plan and who voted against the report of the committee.

Mr. DONNELL. Mr. President, will the Senator yield for a question?

Mr. McCARRAN. I yield for a question.

Mr. DONNELL. Will the Senator be kind enough, if he recalls, to tell us how many members of the committee voted for the concurrent resolution and how many voted against it?

Mr. McCARRAN. With respect to reorganization plan No. 3, the vote was 9 in favor and 7 against.

Mr. DONNELL. That is, 9 in favor of reporting adversely on the resolution of disapproval?

Mr. McCARRAN. Yes. With respect to the other plans, the vote was a little different. I think it was 9 to 6 on reorganization plan No. 1, and I believe 9 to 6 on reorganization plan No. 2.

Mr. DONNELL. Does the Senator recall at the moment the total number of members on the Judiciary Committee?

Mr. McCARRAN. Seventeen.

Mr. DONNELL. I thank the Senator.

Mr. McCARRAN. The enactment of the Reorganization Act of 1945 involved

a broad grant of discretion by the Congress to the President to reorganize the executive branch of the Government in accordance with what he considered sound administrative principles, subject to certain mandates and prohibitions specifically written into the act.

Let me say that the hearings were conducted with two things in view. One was the question whether or not the Chief Executive in forming the plan had violated the principles of the law which gave him authority to reorganize; and, secondly, whether the plans submitted by the President to the Congress were along economic lines, were feasible, were orderly, or were for the best interests of the Government.

Under the provisions of the Reorganization Act, each plan must be approved or rejected as a whole; component parts of a plan cannot be acted upon separately.

It was well recognized by the Congress—and commented upon in committee and on the floor—that whatever the President might propose with respect to curtailment of the powers or functions of any particular department or agency probably would be subject to objections from that agency and from a certain satellite segment of public opinion which could be readily influenced by that agency. Since such objections were expected, it seems reasonable to assume it was the will of the Congress that the President's decisions with respect to policy and with respect to the advisability and desirability of such changes as he might propose should be, if not controlling, at least strongly persuasive.

The Congress gave the President certain powers. The Congress will hold the President responsible for the effectiveness and efficiency of the administration of the executive branch and for the results of any reorganizations which may be put into effect. The responsibility for results is wholly the President's. Therefore, it seems entirely reasonable to contend, as the administration does contend, that the President's proposals should not be lightly rejected because of a mere challenge to the wisdom or desirability of any particular proposed reorganization.

Mr. President, these reports are in the hands of every Senator. Not only that, but the counsel for the committee worked out for the committee's inspection analyses of all of the hearings. Those analyses are available for the use of the Senate. None of the plans was unanimously accepted by the public. Perhaps every one of the plans has more or less objection attached to it. But it is for the Senate to say whether the spirit of the act permitting the President to reorganize certain branches of the executive department shall be observed and whether the President shall be permitted to go forward with the reorganization.

If we reject these plans now, these being the first plans which the President has submitted under the authority the Congress has granted, then, indeed, I say that it would be well that we immediately repeal the enabling act, because if we are set and bound to reject the plans as they are submitted by the President, it seems

to me to be a waste of time for the President to engage in an effort to reorganize the administrative branches of Government.

I am not going to take long in the opening presentation of this matter, because my committee, the Committee on the Judiciary of the Senate, has authorized me to stand on this floor and sponsor their report in favor of the plan. If there are those who object to the plan, it seems to me that they should now be heard. So now in my own time I gladly invite questions from the Senators present as to plan No. 3, after which time I shall then take my seat and yield to the Senator from Wisconsin or to whomsoever wishes to address himself to the plan.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield to the Senator from Oregon.

Mr. CORDON. I am particularly interested in having the Senator's views with respect to that portion of the plan which provides for the creation in the Department of the Interior of a division to be known as the Bureau of Land Management, and in connection with which the General Land Office, probably one of the oldest statutory bureaus of the United States Government, is to be entirely abolished.

My interest goes to this angle of the problem: When the General Land Office was established, it was created for the purpose of handling the disposition of the lands of the United States in connection with the transmission of title of such lands from the Government to private ownership. All matters pertaining to the patenting or transfer of title of public lands have by statute been handled for some 120 or 130 years by the General Land Office.

Mr. DONNELL. Mr. President, will the Senator yield for an inquiry?

Mr. CORDON. The Senator from Nevada has the floor.

Mr. DONNELL. Mr. President, will the Senator from Nevada permit me to ask the Senator from Oregon a question?

Mr. McCARRAN. Yes; I am glad to have the Senator ask a question, and I yield for that purpose.

Mr. DONNELL. Let me ask the Senator from Oregon whether the General Land Office to which he refers as having been established many years ago is the same General Land Office which is referred to in title 43 of the United States Code, Annotated, established by act of April 25, 1812, by which it was made a bureau in the Department of the Treasury.

Mr. CORDON. That is correct.

Mr. President, my interest in this matter arises from the fact that throughout the history of this Republic the General Land Office has been the repository for all of the original records of title as to lands, the title to which has been alienated from the United States. It is also the agency charged with the duty of handling entries on the public lands in the future and of investigating trespasses on the public lands, and so forth. Now it is proposed to abolish the General Land Office, and to transfer its du-

ties, in connection with the duties now imposed on the Grazing Service, to a new department, to be known as the Bureau of Land Management.

I frankly say to the Senator from Nevada that the very title of the new bureau raises a very big question mark in my mind. It seems to me that the very purpose to be subserved is to change the historical policy of the United States from one of holding the public lands for transfer to ownership under private persons, to one of proprietary handling on the part of the United States Government. I should like to have the Senator's views with respect to that particular matter.

Mr. McCARRAN. Mr. President, let me say to the Senator that I am very glad he has raised that question, because I think he will admit that there is no Senator on this floor who is more interested in that subject than am I because, coming from a State in which 84 percent of all the land within the confines of the State belongs to the Federal Government, naturally I am very much concerned. I have expressed my views on the situation in the report of the committee which reads as follows—and it is as succinct an answer as any I could give to the Senator:

This section—

Which is section 403—

would merge the Grazing Service and the General Land Office to create a new Bureau of Land Management within the Department of the Interior. It is a strictly intra-agency adjustment.

Perhaps, if I had had a voice in selecting the name of the new agency I, too, would have selected something less in the public eye and less subject to public criticism than the word "bureau." However, I did not have anything to do with selecting the name. I continue reading:

While the provisions with respect to the creation of the proposed Bureau of Land Management have naturally caused some concern, and have been subjected to the closest scrutiny, particularly by Members of the Congress from public-lands States, it is perhaps significant that no concrete or specific objections have been raised to this proposal, and that those who have studied it most closely have expressed the view that the President's proposal does not appear to have any obvious faults, and, in fact, may be expected to result in some much-needed improvement in the Federal administration of public-lands matters. If coupled with a more liberal administration of the public lands, a cessation of public-lands withdrawals, and a return of substantial portions of lands hitherto withdrawn, the President's proposal might well operate to remove an appreciable part of the dissatisfaction with Government public-lands policy which users of the public domain have for many years continuously and increasingly expressed.

Government witnesses testified that the work now performed by registers of land offices will be continued if this plan becomes effective, and will continue to be performed at the local level.

I especially call the language to the attention of the Senator from Oregon, because it deals with a matter which concerned many of the Senators from the public-land States, and it very much concerned the chairman of the Judiciary Committee.

I continue reading from the report:

No attempt, it was declared, will be made to centralize this work or to take it away from the field, even to the extent of consolidating it by regions.

(Government witnesses furnished the committee with a statement indicating that statutory provisions now applicable to land under the control of the Grazing Service will automatically become applicable to land now under the control of the General Land Office, as a result of creation of the new Bureau of Land Management; and, similarly, that statutory provisions now applicable to land under control of the General Land Office will not become applicable automatically to land now under control of the Grazing Service. This statement appears at p. 341 of the hearings.)

Mr. CORDON. Mr. President, will the Senator yield?

Mr. McCARRAN. Yes; gladly.

Mr. CORDON. I know the Senator from Nevada is as vitally interested in this matter as is the Senator from Utah and other Senators from the western public-land States. The point which I desire to stress is this: Land management, as a function of the Government, and the administration of laws having to do with the alienation of title—and that includes not only legal but equitable title under the general mining laws—are, in my opinion, as far apart as any two administrative duties could be. The one involves the business judgment necessary in the management of land for conservation and use purposes. The other involves the handling of records and the exercise of judicial determination of facts with reference to whether the law has been complied with in connection with, first, entries on the public domain by private persons qualified to enter; second, the question of their handling of the land, as to whether or not they have complied with the statutory requirements; and, third, the matter of locations under the general mining laws, and compliance with the general mining laws in order that the rights provided under those laws may be preserved to the individual and also to the Government, depending on whether the individual has complied with the law. These duties are altogether distinct from the duties, let us say, of administering grazing on the public domain, the administering of conservation of such timber as may be on the public domain, and even the handling of existing mineral leases on the public domain. The one is definitely land management, and the other is just as definitely the application of the law with reference to the alienation of title and the judicial determination of whether or not there has been compliance with the law. I am unable to see any reason why these two functions should be joined under any land-management scheme.

Mr. President, my great fear arises from the fact that, as the Senator from Nevada so well knows, and as all of us who live in the West so well know, when agencies of Government have been set up to handle land management and grazing services, as a notable example, they begin with a simple businesslike approach to the matter of seeing that the grazing ranges are properly grazed, not overgrazed, and so forth. They continue to

multiply their activities, until finally they reach a point where they seem to have the view that the public lands do not belong to the people but to the bureau which administers them. That is the attitude which develops. If it becomes the attitude of this new bureau it will certainly affect and color the action of the officers of the bureau when they come to the matter of discharging their duties with reference to the application of the general mining laws and the other laws under which citizens of this country may still, under the law, acquire rights in the public domain. I am fearful that this proposal is an invitation to attend the obsequies of the land laws of this country under which it has been settled, and under which the whole West grew from a wilderness into a wealthy and populous section of the United States.

Mr. McCARRAN. Mr. President, I am glad to have the views of the Senator from Oregon, and I shall try to discuss his and mine together, both from the standpoint of my own personal views generally and from the standpoint of my views with regard to the land in question.

First of all, the enabling act under which this plan comes before the Congress does not permit the Executive to change the substantive law.

Mr. CORDON. Mr. President, will the Senator permit an interruption?

Mr. McCARRAN. Yes.

Mr. CORDON. I fully understand that the reorganization plan cannot change the basic or substantive law. But if, under the reorganization, those who are charged with the duty of administering the law wish to change a trend which is in favor of the substantive law, they have the widest latitude in God's wide world even to nullify the law. That is what I am fearful of. I have seen it happen.

Mr. McCARRAN. The Senator is entirely correct, but what he has said is also applicable today. We have constantly received complaints. The Senator has attended hearings in the public-land States where complaints have come before him of a failure to administer the spirit of the law. So, assuming that the Senator's apprehension may be at all well founded, we would only be changing to a new regime where again, to be sure, if those who would administer would inject their own views, we would have to deal with them in accordance with the manner in which they administered the law. But, Mr. President, the administration today is not satisfactory. We know that it is cumbersome, that it is dilatory, that it is slow in action, and that it is hampered in many ways.

I take it—and I say this without being advised—that the Executive, in forming this plan, sought to bring about greater celerity of action in land matters and the application of a broader spirit under the rules of economy. I must say that those are my views injected by way of conjecture as to why this new plan was formulated.

I desire to go a little farther. My understanding is that this is to be a completely new bureau; that there will be new blood brought in to manage the Bureau; that there will be a coordination

of the functions of those who serve under and administer this Bureau with the functions of those who now administer the Land Office and those who administer the Grazing Service. Their functions are in some regards similar, as the Senator will recall, because the Land Office now administers grazing to some extent. Section 15 land, under the Taylor Grazing Act, are administered by the General Land Office.

I wish to say here and now, parenthetically, that that administration is much more to the liking of the people who are impinged by the administration and much less expensive than has been the administration of the Taylor Grazing Act up to date.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CORDON. I am in entire accord with the Senator in that regard. We found that to be so in the hearings throughout the West. But the point I want to make now is that heretofore we have had an opportunity in our investigations into the type of administration of the public lands of the West to have a comparison of administrations. We had administration by the General Land Office and administration of the same area by the Grazing Service. I assert it as my conviction that one of the most telling bits of evidence we were able to produce in those hearings in the work toward a correction of abuses in the Grazing Service was the example we had before us of the type of administration in adjoining public lands under the General Land Office. Now it is proposed to join both under a single management scheme and the opportunity for any comparative study goes out the window. I doubt the wisdom of that.

Mr. MURDOCK. Mr. President, will the Senator from Nevada yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Utah?

Mr. McCARRAN. I yield.

Mr. MURDOCK. Assuming the statement of the Senator from Oregon to be absolutely correct—and I have little doubt of its correctness because I know he has spent a great deal of time on the public-land question—it seems to me that the very argument he makes certainly indicates that something ought to be done in the way of coordination and bringing these two agencies together.

Assuming that the Senator is wholly correct, is it logical to argue that, if the right kind of man is placed at the head of the land-management service, he will not be willing to take everything that is good in the General Land Office administration and adopt such procedures in administering the land-management division to be created? It seems to me that the only way to select the good from the bad as it exists today is to bring the whole operation under one head and let that head weed out the bad and continue the good.

Certainly, with the Public Lands Committee of the Senate and the Public Lands Committee of the House of Representatives exercising at all times the closest scrutiny of the administration of

our public lands—and I know that so long as the Senator from Oregon is in the Senate that that will be done—

Mr. CORDON. I appreciate the compliment.

Mr. MURDOCK. Then, certainly, we can point out—I know the Senator will—the good things that exist in the administration of the General Land Office, and having them pointed out, I think, without doubt, the right kind of a head of the proposed public-lands program will be able to do the very thing the Senator wants to have done.

Mr. CORDON. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. CORDON. I merely suggest that the consummation devoutly to be wished—suggested by the Senator from Utah—the appointment of a good man to that kind of job, would unquestionably result as the Senator has indicated. Unfortunately, as experience has demonstrated, that does not always happen. Let me suggest that if and when the Grazing Service was set up in the first instance all the public domain had been made subject to that law, we would not have had the opportunity of investigating two types of Federal administration of the public lands. We would have but one; we would have had no comparison, and I am certain we would not have been able to make the showing which was made in the field. In other words, Mr. President, in all seriousness, I believe that there can be as much vice come from monopoly in Government administration as ever came from monopoly in private industry.

Mr. MURDOCK. Mr. President, will the Senator from Nevada yield to me at this point?

Mr. McCARRAN. Just a moment, Mr. President, I am in a very peculiar position in that all this time is being charged to the Senator in charge of the resolution. I do not desire to be discourteous, and I will yield once more to the Senator from Utah.

Mr. MURDOCK. Mr. President, I should like to make the observation that, carried to its logical conclusion, the suggestion the Senator from Oregon now makes is that we should have further division and more agencies in the administration of our public lands, so that, instead of two agencies to watch and select the good from the bad, we would probably have five or six. Certainly the Senator does not mean that. It seems to me that this work has been going on long enough to enable us to select the good we know of in one agency, or in both of them, and continue it under one head rather than to have the duality of function and effort which we know now exists.

Mr. McCARRAN. Mr. President, let me read now what the President said in his message submitting this plan:

The plan consolidates the General Land Office and the Grazing Service of the Department of the Interior into a Bureau of Land Management.

The General Land Office and the Grazing Service now divide responsibility for the major portion of the multiple-use federally owned lands now held by the Department of the Interior. The lands under jurisdiction of the two agencies are comparable in character and in use. In some functions the

two agencies employ the same type of personnel and use the same techniques. Other functions are divided between the agencies, so that both are engaged in management of various aspects of the same land. Consolidating these two agencies will permit the development of uniform policies and the integration of two organizations whose responsibilities now overlap.

Integration of the activities of the two agencies will make possible greater education and thus more economic use of expert skills. The same practical experience embraced in range administration on public lands in grazing districts will be available for public lands outside the districts.

Utilization of lands within grazing districts for nongrazing purposes will be subject to only one classification examination, rather than dual examination as is now necessary. Economy will be possible in the construction of range improvements, wherever feasible, to serve lands both in and out of districts. Legal procedures, such as adjudication of issues relating to licenses and leases, hearings on appeal from administrative decisions, and of the processing of trespass cases, will benefit from unified administration and handling.

In such activities as fire protection, soil and moisture conservation, management of public lands under agreement with other agencies (e. g., Bureau of Reclamation), range surveys, maintenance and improvement of stock driveways, and stabilization of range use on all public domain, the benefits of consolidation will become increasingly apparent. Further, records relating to grazing lands can be concentrated in fewer field offices and hence administered more effectively.

Mr. President, the Bureau of the Budget was represented in the hearings we held, and I read an excerpt from their testimony:

Under the Taylor Grazing and Soil Conservation Acts the Secretary of the Interior is authorized to create grazing districts out of vast areas of the public domain, and to provide for the protection, administration, regulation, and improvement of the lands in such grazing districts. With respect to such lands this involves the issuance of grazing permits, the regulation of the grazing use of the land, the construction of range improvements and the development of the range, the preservation of the land and its resources from destruction or unnecessary injury, and the prevention of erosion, fire, and floods. These functions the Secretary of the Interior now exercises through the Grazing Service. The jurisdiction of the Grazing Service, therefore, is limited to the administration of the surface grazing use, the conservation and the development of the lands within grazing districts.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. DONNELL. With reference to the Land Office, is it a fact that at the present time the highest officer in charge of the General Land Office is the Commissioner?

Mr. McCARRAN. The Commissioner of the General Land Office; yes.

Mr. DONNELL. I read from United States Code, Annotated, volume 8, title 43:

The Commissioner of the General Land Office shall be appointed by the President, by and with the advice and consent of the Senate.

That is correct, is it not?

Mr. McCARRAN. That is correct.

Mr. DONNELL. Under the terms of the reorganization plan, page 11, section

403, it is provided, is it not, that there shall be at the head of the Bureau of Land Management a Director of the Bureau of Land Management who shall be appointed by the Secretary of the Interior under the classified civil service? I ask the Senator if I correctly understand the language.

Mr. McCARRAN. That is correct.

Mr. DONNELL. Is there anything in the reorganization plan now before the Senate which requires that the advice and consent of the Senate shall be secured to the appointment of the Director of the Bureau of Land Management?

Mr. McCARRAN. There is not.

Mr. DONNELL. Does not the Senator think that there is a certain safeguard, in a matter so important as this, in the existing requirement of the statute that the Commissioner of the General Land Office shall be appointed by and with the advice and consent of the Senate?

Mr. McCARRAN. I do.

Mr. DONNELL. Do we not lose that safeguard, for whatever it may be worth, by reason of the elimination in the reorganization plan of the requirement that the appointment shall be subject to the advice and consent of the Senate?

Mr. McCARRAN. The Senator threw in a parenthetical phrase with which I wish to deal just a minute. He said, "for whatever it may be worth." My experience as a member of the Committee on Public Lands and Surveys, and, indeed, on other committees as well, causes me to say that when a nomination is sent to the Senate it is a rare thing, indeed, when the committee to which it is referred rejects it, and when a committee does reject a nomination, the committee then has exercised its full power and function, and is impotent so far as being able to advise or direct as to any party to be appointed.

The spirit of what the Senator says, that the advice and consent of the Senate should always go along with appointments of this magnitude is also my thought. Nevertheless, I do not think that in this plan we lose so very much, because we are surrounding the appointee with the provisions of the law as to the classification service.

Mr. DONNELL. Will the Senator yield for a further inquiry?

Mr. McCARRAN. I yield.

Mr. DONNELL. Regardless of whether or not the committees, as a matter of custom, have given detailed care to the question of appointments, there is, I believe the Senator will agree with me, a certain safeguard in the requirement that the advice and consent of the Senate must be secured to the appointment of the Commissioner of the General Land Office.

Mr. McCARRAN. I would say that there was a certain consolation to the Senate in the expression "by and with the advice and consent of the Senate."

Mr. DONNELL. I may say to the distinguished Senator that I can readily appreciate his point, but I do not share the opinion that it is merely a consolation. I, of course, defer to the wide experience of the Senator in these matters, but it seems to me a provision, which I think has been in the law for many years, requiring that the appointment of com-

missioners of the General Land Office shall be subject to the advice and consent of the Senate, is a wholesome requirement, and that its elimination from reorganization plan No. 3 is by all means a defect in the plan.

Mr. McCARRAN. Mr. President, I am not going to stand here and take emphatic issue with what the Senator has just said. If I had the drafting of the plan I would insert the provision "by and with the advice and consent of the Senate," but my experience leads me along the lines I expressed to the Senator a moment ago. My thought is that, as a rule, appointments to that office, going back in the history of the office for many years, as far back as we can recall, were largely of political favorites, who took the position and administered the law through selected men or women who were trained in the office through years of experience. The appointee came in, as a rule, new to the office, and then had to rely on the career employees about him for a knowledge of the office.

The consolation I get out of this plan is that it addresses itself to the appointment in a way that secures quality and qualifications, and training and experience.

Mr. DONNELL. Will the Senator yield for a further question?

Mr. McCARRAN. I yield.

Mr. DONNELL. The importance of the Office of Director of the Bureau of Land Management is to some extent indicated, at any rate, by the fact that the reorganization plan prescribes that he shall receive a salary at the rate of \$10,000 per annum. The Senator would agree with that, would he not?

Mr. McCARRAN. Yes. I wish to say further in that regard, if I may, that under practices which have been prevalent for the past 6 or 8 months or a year, the salary should be \$12,000.

Mr. DONNELL. In other words, the Senator agrees it is a highly important office?

Mr. McCARRAN. Very much so.

Mr. DONNELL. What is the salary of the Commissioner of the General Land Office? Is that \$10,000 also?

Mr. McCARRAN. I think it is, but I have not checked it.

Mr. DONNELL. Let me ask the Senator a few more questions.

In connection with this matter of the Land Office, I observe that the reorganization plan prescribes not only that the General Land Office, the Grazing Service, the offices of the Commissioner of the General Land Office, and the Assistant Commissioner of the General Land Office, the Director of the Grazing Service, and all the assistant directors of the Grazing Service be abolished, but also that "all registers of district land offices and United States Supervisor of Surveys, together with the field service, Surveying Service, now known as the Cadastral Engineering Service, are hereby abolished."

I should like to ask the Senator if the register of the district land office, referred to in what I have read, is the same office of register which is referred to in the Federal statutes, title 43, United States Code Annotated, where it is provided that there "shall be appointed by

the President, by and with the advice and consent of the Senate, a register of the Land Office for each land district established by law," and so forth?

Mr. McCARRAN. We are advised that the land offices established by law will remain. I desire to read from page 340 of the hearings:

Mr. DONNELL. I believe you stated the other day that it would be possible under this provision to promote within the Department subject to whatever provision the civil service would impose with regard to eligibility?

Mr. LAWTON—

Mr. Lawton is Assistant to the Director of the Bureau of the Budget—

Mr. LAWTON. That is right.

Mr. SOURWINE. Can you tell us, sir, with respect to section 403 (d), who will perform the work done now by registrars of the land offices if this plan becomes effective?

I think I am coming to an answer to the Senator's question.

Mr. LAWTON. That will be performed by employees of the Bureau of Land Management and they will be such officers of the Interior Department as the Secretary shall determine.

Mr. SOURWINE. That is very clear from the plan, of course.

Mr. LAWTON. Just who they will be—I would assume they would be the same people.

Mr. SOURWINE. Perhaps I did not ask the question properly. I wanted to know whether it is anticipated that there will continue to be someone in the field at the point where you now have registrars of the land who will continue to perform the functions they now perform?

Mr. LAWTON. The functions will continue to be performed.

Mr. SOURWINE. So, as far as you know, they will not be pulled out of the field and segregated into Washington or into one or two offices?

Mr. LAWTON. You could not do that because this is essentially a field program.

Mr. SOURWINE. They might even, as a matter of fact, call them official registrars?

Mr. LAWTON. The title might change and it might not.

Mr. SOURWINE. But the functions will not change?

Mr. LAWTON. The functions being performed now will be performed and they will be performed where the job exists.

Mr. DONNELL. Mr. President, will the Senator yield for a further question?

Mr. McCARRAN. Yes.

Mr. DONNELL. I observe that one of the statements by Mr. Lawton referring to the personnel, as the Senator read it on page 340, is:

Just who they will be—I would assume they would be the same people.

There is nothing, is there, may I ask the question, in the reorganization plan to guarantee that they will be the same individuals as are now employed?

Mr. McCARRAN. There is not.

Mr. DONNELL. There is a provision of existing law, which I have read from the statute, requiring that the register of each land office shall be appointed by and with the advice and consent of the Senate.

Mr. McCARRAN. That is the existing law.

Mr. DONNELL. But there is no requirement to that effect in the Reorganization Act?

Mr. McCARRAN. There is not.

Mr. DONNELL. May I inquire also if there is any provision in the reorganization plan which coincides with or is analogous to the provision appearing in paragraph 78 of title 43, United States Code of Appeals, that every register shall reside at the place where the land office for which he is appointed is directed by law to be kept?

Mr. McCARRAN. There is nothing of that kind in this plan.

Mr. DONNELL. Does the Senator regard it as of importance in the present law that there is a requirement that the register of the land office shall reside at the place at which the land office is directed by law to be kept?

Mr. McCARRAN. I do, from two angles. The first is that the register is acquainted with the conditions prevailing in the section in which he may serve and with the people he may directly serve, and the next reason is that a Senator sometimes has a voice in appointing him.

Mr. DONNELL. Will the Senator be kind enough to answer this question? There is, therefore, in the opinion of the Senator, as I understand, not as favorable a provision in the reorganization plan with respect to residence of the register as there is in the existing law? Does the Senator agree with that statement?

Mr. McCARRAN. It all depends on what one calls favorable. If the question is whether this is more economical, if it is more saving, if it will affect a service to the public; then my answer might be one way. If the question is whether the appointment should be subject to the advice and consent of the Senate, then my answer would be the other way.

Mr. DONNELL. Mr. President, will the Senator yield for a very few more questions?

Mr. McCARRAN. I yield.

Mr. DONNELL. At any rate, the Senator does agree that the provision in the existing law which requires that the register shall reside at the place where the land office for which he is appointed is directed by law to be kept is a wholesome provision?

Mr. McCARRAN. To my way of thinking, yes; but there is nothing in this plan that militates against his being a resident of the district in which he will serve.

Mr. DONNELL. But there is no requirement that he shall be?

Mr. McCARRAN. No.

Mr. DONNELL. That is correct, is it not?

Mr. McCARRAN. Yes.

Mr. DONNELL. May I ask the Senator for the record as to the date on which this reorganization plan and the other two reorganization plans were transmitted to the Congress of the United States?

Mr. McCARRAN. The 16th day of May 1946.

Mr. DONNELL. May I ask the Senator if the dates on which the hearings were held by the Committee on the Judiciary of the United States Senate were June 14, 15, 18, 19, 20, 21, 25, 26, and 27, 1946?

Mr. McCARRAN. That is correct.

Mr. DONNELL. And may I ask the final question for the moment, as to when it was that the published volume to which the Senator referred in his opening statement, containing the hearings before the Committee on the Judiciary of the United States Senate, was first made available to the Members of the Senate other than the members of the committee?

Mr. McCARRAN. I do not have the date in mind, but I will relate to the Senator—

Mr. DONNELL. May I interrupt and say to the Senator that that question is not asked critically, but I think it is of importance that the Record show the amount of time the Members of the Senate have had to study this volume?

Mr. McCARRAN. If the last hearing was on the 27th of June, and I think that is correct, the record so shows, immediately I had the transcript in my hand, I had it transmitted to the Printing Office; then the galley sheets came back, and immediately the galley sheets were corrected. Then immediately the corrected galley sheets went back to the Printing Office, and I called the Public Printer on the telephone and asked him if he would expedite by making a night job of it, which he did. I had the printed record in my hand the next morning, and copies were sent immediately to each member of the committee.

Mr. DONNELL. I have no doubt as to the promptness of the chairman of the committee. I think it would be well for the Record to show the date. Was it possibly the 5th or 6th of July, or was it later than that, that the Senators or the members of the committee had available to them these printed volumes?

Mr. McCARRAN. My recollection is that it was before the 5th of July.

Mr. DONNELL. I am wondering if the Senator would find time in the performance of his other duties to place in the Record, before the conclusion of this debate, the date as of which this volume containing the hearings before the Committee on the Judiciary of the Senate became available to the general membership of the Senate.

Mr. McCARRAN. I am advised by the counsel for the Judiciary Committee of the Senate sitting by me that it was the 3d of July.

Mr. DONNELL. I thank the Senator.

Mr. FERGUSON. Mr. President, will the Senator yield for several questions?

The PRESIDING OFFICER (Mr. SMITH in the chair). Does the Senator from Nevada yield to the Senator from Michigan?

Mr. McCARRAN. I yield.

Mr. FERGUSON. In connection with the appointment of registers in the various States in which there are land offices, the Senator brought up the question whether or not there would be a saving if the registers were residents of the places in which the offices were located. I wonder whether the Senator could tell us the actual saving under the plan. What will the plan save to the taxpayers of America?

Mr. McCARRAN. No record has been made on that point.

Mr. FERGUSON. In the original act, the Reorganization Act, Public Law No. 263, of the Seventy-ninth Congress, section 2 (a) reads, as follows:

It is the expectation of the Congress that the transfers, consolidations, coordinations, and abolitions under this act shall accomplish an over-all reduction of at least 25 percent in the administrative costs of the agency or agencies affected.

That being a part of the original act, does not the Senator believe that the President should have sent to the Congress some evidence of the exact purported saving under reorganization plan No. 3?

Mr. McCARRAN. In reply to the Senator's question, which is really a statement, let me say that the language which he quotes from the basic act was written in conference to apply to all the plans as a whole, and not particularly to any one plan. In other words, it was contemplated that a saving might be effected by a series of reorganizations. I have little to sustain me in that statement except recollection. It was not contemplated that any one plan should effect a particular saving, but the Congress looked to this method to make a general saving.

Mr. FERGUSON. Mr. President, will the Senator yield for another question?

Mr. McCARRAN. I yield.

Mr. FERGUSON. If that is the interpretation to be placed upon that subsection, as I view it, it is of little use. The President could make 10, 15, or 20 reorganizations. They could all become law, not only without a saving, but with an extra cost, because it might be said that the final plan would effect some saving, or result in the abolition of an entire department. I have never thought that that was the intention of Congress.

Mr. McCARRAN. Let me say to the Senator that the Senate bill contained no such language. The House bill contained language to the effect that there should be a saving under each plan. A compromise was arrived at in conference and the language is as we now find it. I am making that statement from recollection.

Mr. FERGUSON. Section 2 (a) reads as follows:

The President shall examine and from time to time reexamine the organization of all agencies of the Government and shall determine what changes therein are necessary to accomplish the following purposes.

As I view it, if the purpose of the plan is not to accomplish one of the purposes set forth, it does not come within the act, and would be illegal. That is the reason why I think we should have specific answers to the question as to what the savings would be. I sat in the hearings, and nowhere could we get any evidence upon which we could base a conclusion as to what the saving would be. The Bureau of the Budget drafted these plans, but the Director of the Bureau of the Budget was unable or unwilling to give us the facts. Purpose No. 2—

Mr. McCARRAN. Mr. President, I do not wish to be discourteous to the Senator from Michigan, for whom I have great affection, but the Senator knows the rules. He is not propounding ques-

tions to me. He is debating, which he has a right to do in his own time.

Mr. FERGUSON. I shall be glad to give the Senator time from this side of the aisle—not only equal time, but double time.

The reason I make the statement which I make is that I wish to read the second purpose, and then ask the Senator a question.

Purpose No. 2 reads as follows:

To reduce expenditures and promote economy, to the fullest extent consistent with the efficient operation of the Government.

In order that we may determine whether or not there is a saving, we must have figures. It is taken for granted that we shall be able to determine the question of efficiency in the operation of the Government; but we must combine the two factors. Does not the Senator feel that that is a fair interpretation of purpose No. 2 set forth in section 2?

Mr. McCARRAN. First of all, I should like to read to the Senator an excerpt from the report of the conference committee, on page 9:

Section 2 (c) of the House bill stated that it is the policy and the expectation of Congress that the transfers, consolidations, and abolitions contained in each reorganization plan shall accomplish an over-all reduction of at least 25 percent in the administrative cost in the agency or agencies affected by the plan.

Section 3 of the House bill provided that the President, in his message transmitted with the reorganization plan, should state to such extent as he deemed practicable approximately the reduction of expenditures, if any, which it is probable will be brought about by the taking effect of the reorganizations specified in the plan.

The above referred to provision of section 3 was not contained in the Senate bill and is omitted under the conference agreement. The House provision in section 2 (c) above referred to did not appear in the Senate amendment. Under the conference agreement (sec. 2 (c)) it is provided that it is the expectation of Congress that the transfers, consolidations, coordinations, and abolitions under the act shall accomplish an over-all reduction of at least 25 percent in the administrative costs of the agency or agencies affected.

I now read from page 33 of the hearings, in the testimony of Mr. Smith, the then head of the Bureau of the Budget.

Mr. SMITH. I believe you are going to get some reductions in positions here. I also think you are going to get increased efficiency. I think there is something in administration, that there is something in organization. I think bad organization puts an undue strain upon the people in it, and therefore you get a dissipation of the latent powers of an organization, because of the impact upon the personnel and because of the inefficiency that results. I think that here the objective, in the main, is to provide organizational arrangements that will be improvements over what we have now.

Mr. FERGUSON. What you are really saying there is, Mr. Smith, is it not, that you know these plans will result in organizational arrangements that will be an improvement over what we have now?

Mr. SMITH. We are thoroughly convinced of that.

Mr. FERGUSON. You believe that such an organizational arrangement is bound to result in increased efficiency?

Mr. SMITH. That is correct.

Mr. SORWINE. You believe that with that increased efficiency you will be able to do more work with the same force or do you do the same work with a reduced force?

Mr. SMITH. That is correct.

Mr. SORWINE. However, you have not determined, as a result of any studies you have made, whether there will be more work to be done with the same force or whether you will be able to cut down on the staff?

Mr. SMITH. That is correct, and that depends, you see, upon a good many considerations. One of those is an expansion of functions of any given organization by the Congress or by new legislation or an expansion through a decision on the part of the Executive in submitting an estimate to the Congress, or a decision of the Appropriations Committee determining what is an adequate amount of money for those functions.

Mr. FERGUSON. Mr. President, will the Senator yield for a question on another line?

The PRESIDING OFFICER (Mr. GURNEY in the chair). Does the Senator from Nevada yield to the Senator from Michigan?

Mr. McCARRAN. I yield.

Mr. FERGUSON. Will the Senator get for us, for the Record, the number of positions abolished by plan 3 that are now appointed by and with the advice and consent of the Senate and the number of new jobs which will be created to take over the functions of those holding the present jobs?

Mr. McCARRAN. Let me make sure that I understand the question. As I understand, the Senator wishes me to furnish him information as to how many appointments which carry the requirement of advice and consent of the Senate may be eliminated by this plan.

Mr. FERGUSON. That is correct; and how many will be substituted in their place, to take care of the same functions, without the requirement that they shall be appointed by and with the advice and consent of the Senate.

Mr. McCARRAN. My knowledge of the subject and my recollection prompt me to answer the Senator now that I can think of two. One is the Commissioner of the General Land Office. The other is the Chief of the Grazing Service. Those two appointments would not come to the Senate for confirmation, under the plan. I do not think of any others at the moment, but there may be others.

Mr. FERGUSON. If the counsel can think of another, it will be placed in the Record later; is that correct?

Mr. McCARRAN. Yes.

Mr. DONNELL. Mr. President, will the Senator yield for another inquiry?

Mr. McCARRAN. I yield, Mr. President; but I find that I am getting the worst of the interchange, all around, in regard to the time, because I am yielding most of my time for these inquiries. However, I do not object, because I think the questions bring out matters which the Senate should consider.

Mr. FERGUSON. I assure the able Senator that I do not wish to infringe upon his time. I shall try to obtain time from this side.

Mr. McCARRAN. Very well.

Mr. DONNELL. I had understood the Senator from Nevada to say that he in-

tended to make only a brief statement, and that he invited inquiries.

Mr. McCARRAN. That is correct.

Mr. DONNELL. It is in response to that invitation that I have addressed questions to the Senator.

The Senator from Nevada was referring to the testimony of Mr. Smith, at page 33 of the record. I ask him whether on page 34 the following colloquy occurs:— and I point out that it begins about one-third of the way down the page, and includes only a few lines:

Mr. SORWINE. The increased efficiency to which you have testified, in the case of any change in law which Congress may provide for, would necessarily result in a situation in which you can reduce the force?

Mr. SMITH. That is correct.

Mr. SORWINE. Do you not believe it would be of value to the committee if you could give us some kind of estimates as to what the force reduction is that will be made possible in that way?

Mr. SMITH. I do not believe that is possible to do with any degree of satisfaction, either to the estimators or to the committee.

Let me ask the able Senator if the witness so testified?

Mr. McCARRAN. That is correct.

Mr. DONNELL. I should like to ask the Senator another question. The three plans, Nos. 1, 2, and 3, were all before the Judiciary Committee; were they not?

Mr. McCARRAN. They were.

Mr. DONNELL. Without detailing the particular agencies, for the moment, which are involved in them, am I not correct in saying that a number of agencies are affected by the aggregate of the three plans?

Mr. McCARRAN. That is correct.

Mr. DONNELL. Is the Senator from Nevada able to tell us approximately the administrative costs of the agencies affected by the aggregate of these three plans?

Mr. McCARRAN. Does the Senator from Missouri refer to the present administrative costs of the agencies?

Mr. DONNELL. Yes.

Mr. McCARRAN. I do not have the figure available to me.

Mr. DONNELL. It would be vastly more than \$2,000,000, would it not, in the opinion of the Senator?

Mr. McCARRAN. I would not want to make a guess; but, if I made a guess somewhere out on the street, I should say that the Senator is correct.

Mr. DONNELL. Yes. The reason why I made that inquiry of the Senator is that in the report of the committee with respect to reorganization plan No. 1 there is a statement of a certain figure of possible savings, and that figure is only \$500,000. I should like to read a portion of the report to the Senator, if I may do so, and thereafter ask him a question. On page 2 of the report the following statement appears:

While witnesses at the hearings have been reluctant to testify concerning prospective savings, a partially inconclusive study made by the committee staff indicates that savings of approximately \$500,000 may perhaps be reasonably anticipated, on the basis of a comparison of the costs of administration, in the event these plans become operative, with the costs of administration if the

agencies affected continue on the present basis or revert to their permanent prewar status.

Those various conditions and if's, and so forth, were regarded by the committee as essential to be stated even in connection with an answer with respect to what would be perhaps a reasonably approximate estimate of the anticipated savings, namely, \$500,000. Is that correct?

Mr. McCARRAN. That would be as a result of all the plans.

Mr. DONNELL. Yes; all three of the plans.

Mr. McCARRAN. Yes; that was an estimate given us with respect to all three of the plans.

Mr. DONNELL. Yes. The point to which I desire to have the Senator address his attention is this: In the section of the Reorganization Act of 1945, section 2, subdivision (c), the following language is to be found:

It is the expectation of the Congress that the transfers, consolidations, coordinations, and abolitions under this act shall accomplish an over-all reduction of at least 25 percent in the administrative costs of the agency or agencies affected.

Mr. McCARRAN. I went into that point in answer to a question by the Senator from Michigan.

Mr. DONNELL. The point to which I am addressing myself is that if, as a matter of fact, the administrative costs of the agencies affected by the three plans are largely in excess of \$2,000,000, obviously the figure of \$500,000, which is stated as the perhaps reasonably anticipated figure mentioned in the report, is certainly not 25 percent of the administrative costs of the agency or agencies affected.

Mr. McCARRAN. Of course, the law does not require exactitude as regards the 25 percent. It merely expresses the wish and hope and expectation of Congress.

Mr. DONNELL. Yes.

Mr. McCARRAN. Let me read to the Senator something on page 2 of the report on reorganization plan No. 3, which the Senator from Missouri did not read. He read the first part.

Mr. DONNELL. I was reading from reorganization plan No. 1, if the Senator please, on page 2, which refers, however, to all three of the plans.

Mr. McCARRAN. I shall read this now, for I think perhaps this is the proper place in the Record to have it appear:

Entirely aside from this point, however, it should be noted that the Reorganization Act does not specifically require savings, and that the language with respect to the expectation of Congress in that regard was rewritten so as to be applicable not to any particular reorganization plan or plans but as an over-all expectation with respect to all reorganizations proposed by the President under the act.

Since it has been testified that other reorganization plans are in the process of formation and will be submitted at a later date, it does not appear to be essential as a matter of law that any particular savings should be demonstrated as certain to occur under the plans now before the Congress.

Mr. DONNELL. Mr. President, will the Senator yield, to permit me to ask him another question?

Mr. McCARRAN. I yield.

Mr. DONNELL. Does the Senator from Nevada assure the Senate that it is demonstrated at this time that any specific savings are certain to occur under reorganization plan No. 3?

Mr. McCARRAN. Did the Senator say any specific change?

Mr. DONNELL. I said "any specific savings."

Mr. McCARRAN. I cannot answer the Senator with any degree of cogency.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CORDON. In connection with section 403 of plan No. 3, that being the section creating the Bureau of Land Management, is the Senator in agreement with me that although a Bureau of Land Management is there created, that portion of land management dealing with the administration of mineral leasing is not included in that Bureau, but is left in some other section of the Interior Department?

Mr. McCARRAN. No. I think that the matter of the leasing of mineral lands is in the General Land Office. It has always been in the General Land Office. That function would pass to the new Bureau.

Mr. CORDON. Then it is the Senator's view, is it not, that the new Bureau which would be created would have jurisdiction of the administration of the mineral laws?

Mr. McCARRAN. That is my view. I know nothing to the contrary. The land belongs to the owners. Allow me to quote one excerpt from the statement of Mr. Lawton as set forth on page 341 of the hearings:

On the other hand, the jurisdiction over the disposition and the use other than grazing of the surface of the lands within grazing districts—their disposal by homestead or other entry, State exchange, public sale, etc.—which is vested in the Secretary of the Interior by the Taylor Grazing Act (secs. 7, 8, and 14; 43 U. S. C., secs. 315f, 315g, 1171), and other statutes, is exercised by the Secretary through the General Land Office, generally with the advice of the Grazing Service. In addition, the mineral and other resources in grazing-district lands are under the jurisdiction of the General Land Office.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. OVERTON. I wish to make the statement that I shall approve all land reorganizations submitted by the President. I shall do so for the reasons so cogently and succinctly stated in the report made by the chairman of the Committee on the Judiciary, the able Senator from Nevada [Mr. McCARRAN] in the report on reorganization plan No. 3. I quote:

It was well recognized by the Congress—commented upon in committee and on the floor—that whatever the President might propose with respect to curtailment of the powers or functions of any particular department or agency probably would be subject to objections from that agency and from a certain—

I omit the word "satellite," with all due respect to the Senator from Nevada—

statement of public opinion which could be readily influenced by that agency. Since such objections were expected, it seems reasonable to assume it was the will of the Congress that the President's decisions with respect to policy and with respect to the advisability and desirability of such changes as he might propose should be, if not controlling, at least strongly persuasive.

The Congress gave the President certain powers. The Congress will hold the President responsible for the effectiveness and efficiency of the administration of the executive branch and for the results of any reorganizations which may be put into effect. The responsibility for results is wholly the President's. Therefore, it seems entirely reasonable to contend, as the administration does contend, that the President's proposals should not be lightly rejected because of a mere challenge to the wisdom or desirability of any particular proposed reorganization.

I made a statement somewhat similar to that on the floor of the Senate at the time of the passage of the reorganization bill. We all recognized—I say "we all"; at least an overwhelming majority of the Congress recognized—that it was an unsurmountable task for Congress to undertake a reorganization of the departments and agencies of the Government. We had to vest authority for that in someone, and, of course, it was vested in the President of the United States as the Chief Executive. I stated that I knew that any plan which might be submitted would meet with objections by certain interests which considered some part or portion of the plan to be inimical to their interests, or contrary to public policy. But we must take the plan as a whole. While there may be some objectionable features in plan No. 1, plan No. 2, or plan No. 3, when taken as a whole they are good plans. Whether or not they are excellent, there is only one way in which to reorganize, and that is through the President. I, for one, made up my mind at the time I voted for the reorganization bill that I would stand by any plan which the President might submit, unless, of course, the plan was entirely impractical and so vividly contrary to the public interest that I could not reasonably support it.

I thank the able Senator from Nevada, Mr. DONNELL. Mr. President, will the Senator yield for a further inquiry?

Mr. McCARRAN. I yield.

Mr. DONNELL. These plans, including plan No. 3, have been before a committee of the House of Representatives; have they not?

Mr. McCARRAN. Yes.

Mr. DONNELL. And they have been acted upon by the House of Representatives; have they not?

Mr. McCARRAN. The Senator is correct.

Mr. DONNELL. In each case the action taken by the House was to disapprove the plan.

Mr. McCARRAN. So I have been advised.

Mr. DONNELL. I ask the Senator if he has any objection to my noting in the RECORD at this time that in the CONGRESSIONAL RECORD, volume 92, part 6, at page 7911, it appears that House Concurrent

Resolution 155, which is the one referring to reorganization plan No. 1, was agreed to by a vote of 180 to 37. In other words, reorganization plan No. 1 was disapproved in the other House by a vote of 180 to 37. Reorganization plan No. 2 on the same date, was disapproved in the House of Representatives by a vote of 166 to 43, and while reorganization plan No. 3, so far as I can observe on the same page of the CONGRESSIONAL RECORD, was not voted upon by a record vote, yet it is stated that the concurrent resolution was agreed to. So, likewise reorganization plan No. 3 was disapproved by the House.

Mr. McCARRAN. That is the record.

Mr. DONNELL. With reference to the subject of St. Elizabeths Hospital, which is referred to on page 6 of the report, I wish to invite the attention of the Senator from Nevada to the statement made by Dr. Judd, from the Committee on Expenditures in the Executive Departments of the House of Representatives, under date of June 24, 1946. The language to which I wish to refer, but will not read all of, is as follows:

The committee disapproved section 201 of reorganization plan No. 3, which would transfer or abolish the functions for which St. Elizabeths Hospital was originally established, namely, for the care and treatment of mentally ill enlisted men and officers of the Army, Navy, and Marine Corps. It would take the outstanding mental hospital in the United States and make it the equivalent of the ordinary county insane asylum, serving only the District of Columbia. St. Elizabeths has been a pioneer in the investigation and treatment of mental diseases, due largely to the great variety of psychiatric cases coming to it and to the extraordinarily high standards of its research and teaching.

Later on, in my own time, I shall read the remainder of Dr. Judd's statement. I ask the able chairman of the Committee on the Judiciary if his committee gave attention to that matter; and if so, what decision did it reach?

Mr. McCARRAN. Mr. President, I call the Senator's attention to page 5 of the committee report on plan 3, dealing with section 201:

This section has the effect of requiring the War and Navy Departments, respectively, to arrange for the care of the insane military personnel under their jurisdiction. Insane persons belonging to the Coast Guard are to be cared for through the Public Health Service and the Federal Security Administrator. Any person who has already been admitted to St. Elizabeths Hospital is not to be affected by this plan.

Government witnesses testified it was not contemplated that any part of the Federal Government's financial support of St. Elizabeths Hospital (aside from reimbursement for patient expense) would be withdrawn as a result of the proposed transfer; and that the burdens imposed upon the District of Columbia with respect to the operation and maintenance of St. Elizabeths Hospital would not be increased, either directly or indirectly.

There were no legal objections in any way to the plan with reference to St. Elizabeths Hospital. In other words, there was no violation of any law. I read further:

It is alleged that withdrawing military personnel from St. Elizabeths Hospital will be a detriment to the hospital, which, it is said, occupies a unique place in the study of in-

sane persons. It is stated that St. Elizabeths is known over the world and, because of the large number and variety of types who are cared for there, provides an unequalled opportunity for study on the part of those persons interested in psychiatry.

In reference to this contention, representatives of the Bureau of the Budget and Mr. Watson Miller, the Federal Security Administrator, stated that the percentage of military patients who are now or ever have been admitted to St. Elizabeths Hospital is so small as to constitute only a negligible opportunity for study and gave it as their considered opinion that the allegation set forth in the preceding paragraph is unfounded and without merit.

Besides the fact that only about 10 percent of the patient load at St. Elizabeths Hospital is composed of military patients, it seems obvious that, because such military patients are in the same general age group and are, on the whole, suffering from the same type of mental affliction, this group provides a narrower range for psychopathic research than other patients at the hospital who are of all ages, are drawn from all walks of life, and suffer from many different types of mental illness or impairment.

Another important factor to be considered is that in a mental hospital there is a maximum beyond which the patient load cannot go if satisfactory treatment for all patients is to be provided.

The primary purpose of St. Elizabeths Hospital is to treat the sick in mind. The fact that the hospital affords to psychiatrists opportunity for research and observation is a happy concomitant, but not a major purpose. The committee does not believe the provisions of this section will seriously curtail this opportunity.

I think that in reading the language of the committee I have expressed what I could say if I were to answer the Senator for myself.

Mr. DONNELL. I thank the Senator.

Mr. McCARRAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alben	Gurney	Moak
Andrews	Hart	O'Daniel
Austin	Hawkes	O'Mahoney
Bail	Hayden	Overton
Barkley	Hill	Pepper
Bridges	Hoey	Reed
Briess	Huffman	Revercomb
Brooks	Johnson, Colo.	Robertson
Buck	Johnson, S. C.	Russell
Burch	Kilgore	Smith
Bushfield	Knowland	Stallard
Capenham	La Follette	Stewart
Capper	Langer	Swift
Carville	Lucas	Taft
Chavez	McCarran	Taylor
Cordon	McClellan	Thomas, Ohio
Donnell	McKellar	Thomas, Utah
Downey	McMahon	Tunnell
Eastland	Magnum	Wagner
Ferguson	Mead	Walsh
Fulbright	Murkin	Wentworth
George	Mitchell	White
Gerry	Moore	Wiley
Gossett	Morse	Wilson
Green	Murdoch	Young
Guffey	Murray	

The PRESIDING OFFICER (Mr. KNOWLAND in the chair).

Seventy-seven Senators having answered to their names, a quorum is present.

Mr. McCARRAN. Mr. President, I am now about to yield the floor. If there are no further questions at the moment

I will yield the floor so far as my opening statement is concerned.

Mr. FERGUSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield time to the Senator from Michigan?

Mr. WILEY. How much time does the Senator desire?

Mr. FERGUSON. Fifteen or twenty minutes.

Mr. WILEY. I yield 25 minutes.

Mr. FERGUSON. I wish to say a few words about plan No. 3. I realize that there should be a reorganization of the executive branch of the Government. I advocate and have advocated for a long time such reorganization. I believe that every one familiar with our governmental structure in Washington and throughout the United States must agree that a sweeping reorganization is needed in the executive branch. I am in favor of it. I am in favor of it being done, however, under the guidance of Congress, which, after all, is the policy-making branch of the Government.

I realize that Congress passed a law giving the Executive authority to reorganize and even the right by Executive order to repeal statutory law. We have said to him, "If you will send to us your proposals to repeal laws and we do not act within a period of 60 days, the repeals will stand." I think, however, there is every reason why we should scrutinize the repeal of any statute. So, I want to talk for a few moments upon the question of repeal of statutes under these three plans and in this scheme of reorganization generally.

Mr. President, we now find that there have been two statutes repealed. Congress created two offices and provided that those who fill them shall be appointed with the advice and consent of the Senate. The President now says to us, "I want to repeal those two laws. I want to appoint men of my own choosing, without the right of Congress to give advice or consent to those appointments." In effect that is a repeal of the law.

Many years ago Congress created a Board of Visitors of St. Elizabeths Hospital and gave to that Board certain functions. That was done a long time ago. Mr. Watson B. Miller, Administrator of the Federal Security Agency, who would take over its powers after the President abolishes that Board, said it is a very old law. He said in his testimony:

Plan 2, section 9, abolishes the Board of Visitors of St. Elizabeths Hospital and its functions. This proposal is in the interest of clarifying administrative responsibility. Under present law—and it is a very old law, something in the time of the Dred Scott decision—this Board has authority to supervise the hospital and make bylaws for its government; this authority clearly overlaps that of the Federal Security Administrator, and Congress has a right to be able to look to one person or group for responsibility.

In other words, Congress has created a board to make by-laws and administer St. Elizabeths Hospital, and the President says, through Mr. Miller, his administrator, "Oh, that is not the way it should be done. We do not want a board

to do that work. We want one man to do it." Mr. Miller said, "I am the man to do it. Place all the authority in me, and not in the Board."

Following are the names of the Board of Visitors of St. Elizabeths Hospital: Dr. Cloyd H. Martin, president, president of George Washington University; Dr. Huel S. Cummings, former Surgeon General, United States Public Health Service; Mrs. Ann Archibald, philanthropist; Mrs. Milton R. King, philanthropist; Vice Adm. Ross T. McIntire, Surgeon General of the Navy; Miss Mary E. Switzer, Assistant to Federal Security Administrator; Dr. John Wallace Rustin, pastor, Mount Vernon Place Methodist Church; Dr. Winifred Overholser, superintendent of St. Elizabeths Hospital.

Gen. Frank Hines, formerly Veterans' Administrator, recently resigned from the Board.

What the President seeks to do in this case would mean the repeal of the statute in question.

Mr. President, I wish for a few moments to refer to the statement of a man who is an expert in the operations of hospitals such as the mental hospital, St. Elizabeths. I wish to give to the Senate what he says about abolishing this hospital board and taking the authority away from it:

Section 201 of reorganization plan No. 3, would transfer or abolish the functions for which St. Elizabeths Hospital was originally established, namely, for the care and treatment of mentally ill enlisted men and officers of the Army, Navy, and Marine Corps.

Mr. President, at no time in the history of America have we had greater need for the hospitalization of men from the Army, the Navy, and the Marine Corps in such a hospital as this.

It would take the outstanding mental hospital in the United States and make it the equivalent of the ordinary county insane asylum, serving only the District of Columbia. St. Elizabeths has been a pioneer in the investigation and treatment of mental diseases, due largely to the great variety of psychiatric cases coming to it and to the extraordinarily high standards of its research and teaching. It has become, according to the testimony of officers of the American Psychiatric Association, "a unique teaching hospital. There is no other like it." It is the only mental hospital in the United States approved for rotating internships by the Council of Medical Education of the American Medical Association. It provides about 20 approved residencies, which are highly sought after by physicians desiring to take graduate training in order to become psychiatric specialists.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I am glad to yield.

Mr. REVERCOMB. I am not disputing the position of the able Senator; but is it not a fact that in the course of the late war a number of mental hospitals—I know of two—were built by the Army and equipped in a very modern fashion? Is not the basis of the change which is suggested the fact that we now have these very modern new hospitals and facilities to care for the men in the service?

Mr. FERGUSON. I assume that we have. I think the able Senator is correct in his statement that we have built many hospitals. But from what I can learn of the facts, St. Elizabeths Hospital is not now overcrowded. We need not only that hospital, but the others which we have built. I understand that there is now on foot a plan to build a large mental hospital in connection with the Naval Medical Center in Bethesda. Therefore, if we should not approve this plan now, as soon as hospitals were available to which the teaching and other activities carried on at St. Elizabeths could be transferred, such a plan would be carried out. I am sure we would find no objection to a proper plan.

Mr. REVERCOMB. In other words, if the hospital at Bethesda were built, the Senator would be willing that soldiers be transferred from St. Elizabeths?

Mr. FERGUSON. I would.

Mr. REVERCOMB. The answer would seem to depend upon whether or not there are other facilities. I should like to have the Senator discuss that point because, as I have said, during the course of the war hospitals were built and equipped with the most modern facilities for looking after this type of case. I am wondering if, in view of those facilities, the plan for taking the enlisted men from St. Elizabeths may not be justified.

Mr. FERGUSON. I answer that question by a quotation from Mr. Watson B. Miller's testimony, on page 331. He said:

Consequently, the provisions of plan 3 mean only an estimated transfer of 492 patients out of an estimated total of 6,708, or less than 7½ percent.

Mr. McCARRAN. Mr. President, will the Senator yield at this point so that I may read the testimony of Mr. Watson B. Miller? I think it is highly applicable here?

Mr. FERGUSON. I am glad to yield.

Mr. McCARRAN. I read from page 331 of the record of hearings:

Plan 3, section 201, requires the removal from St. Elizabeths of service personnel of the Army, Navy, and Marines. The principal objection to this proposal has been, I believe, that this section so materially and substantially changes the complexion of the patient body at St. Elizabeth that its role as a teaching institution is impaired. I do not believe the facts bear this out. The estimated average daily patient load for the fiscal year 1947 is 6,708 patients, of which only 1,220 represent patients from the Army, Navy, and Marines. Of this 1,220, 728 would be only technically associated with St. Elizabeths. Actually, these 728 patients would have been cared for by the Public Health Service at its hospitals at Fort Worth, Tex., or Lexington, Ky., under an arrangement provided for by Executive Order 9079, of February 26, 1942. Because of the rise in the patient body at St. Elizabeths Hospital, this Executive order made it possible for St. Elizabeths to carry service personnel on its rolls technically, but really to act as a conduit between the Navy and the Public Health Service. Consequently, the provisions of plan 3 mean only an estimated transfer of 492 patients out of an estimated total of 6,708, or less than 7½ percent.

Furthermore, it is important to note that the plan does away with divided responsibility. Originally, before the services had developed their own substantial hospitals for mental ailments, they used St. Elizabeths

Hospital. As each service has developed its own facilities, it relied less and less on St. Elizabeths. The long-time trend would have taken these patients out of St. Elizabeths, anyway.

Finally, it is of great importance for this committee to know that the physical facilities of St. Elizabeths are highly taxed. Retention of the service personnel within the hospital would require the continued use of buildings long deemed unsatisfactory for patients. Some of the physical conditions at St. Elizabeths are so unsatisfactory that the House Appropriations Committee has approved, as we hope the Senate committee will likewise do, our request for \$75,000 for a thorough study of physical facilities at the hospital. Approval of plan 3 will substantially preclude overcrowding, and the like, so that the institution in the long run—it is already nearly 100 years old—can be planned wisely, with intelligence and effectiveness.

Mr. FERGUSON. I thank the Senator.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. REVERCOMB. What is the position of the Veterans' Administration as to this change? Certainly some of the veterans are treated at St. Elizabeths. What position does the Veterans' Administration take with respect to transferring veterans of the Army, the Navy, and the Marine Corps into other service hospitals?

Mr. McCARRAN. Let me say to the Senator that we have no testimony from the Veterans' Administration. I have not the authority at hand, but my understanding is that the Veterans' Administration will not build hospitals or send patients to hospitals which have a greater patient population than about 2,000. I have not the authority for that statement. I wish I had it. It comes to me rather informally.

Mr. FERGUSON. In answer to the last question, this is the hospital where the Army, Navy, and Marine Corps personnel go, rather than those who are considered under the Veterans' Administration. The Veterans' Administration takes charge after the person is discharged from the Army. These hospitals are for Army, Navy, and Marine Corps personnel, while they are in the service of the United States.

Mr. REVERCOMB. I realize that; but there is a very close connection—or there should be—between men in active service who are mentally afflicted before they are discharged, and veterans who may suffer from such disability. I wondered why the Veterans' Administration itself would not venture an opinion upon the subject. That is the reason for my question.

Mr. FERGUSON. The question is very pertinent.

I had been reading from the report of Dr. Judd, from the House Committee on Expenditures in the Executive Departments. I continue reading:

St. Elizabeths has been a pioneer in the investigation and treatment of mental diseases, due largely to the great variety of psychiatric cases coming to it and to the extraordinarily high standards of its research and teaching. It has become, according to the testimony of officers of the American Psychiatric Association, "a unique teaching hospital. There is no other like it." It is the only mental hospital in the United States

approved for rotating internships by the Council of Medical Education of the American Medical Association. It provides about 20 approved residencies, which are highly sought after by physicians desiring to take graduate training in order to become psychiatric specialists. There is a more urgent need for such specialists now than at any other time in our history, coupled with a more acute shortage of psychiatrists than of any other type of physician. For example, 50 percent of all pensions paid by the Veterans' Administration for disability are because of psychiatric disorders. Sixty percent of all hospitalization by the Veterans' Administration is for psychiatric ailments.

By that is meant that the experts from this institution are able to go into the veterans' field and take care of veterans.

I read further from the report:

Yet our country has only 4,000 experienced psychiatrists, including those in the armed forces. It has been estimated that we now need at least four times that many, with a proportionate increase in number of trained psychiatric nurses, psychiatric social workers, and psychiatric attendants.

St. Elizabeths Hospital has no superiors and few, if any, peers in providing such urgently needed training facilities. Since VJ-day its patient load has fallen so that it is not crowded. There is no valid medical reason for transferring elsewhere the functions it has performed with such outstanding success. Reorganization plan No. 3 would inevitably bring a certain amount of demoralization and reduction of its effectiveness at the very time when its services are most urgently needed.

Mr. President, I wish to refer to the Board of Visitors, which it is proposed to abolish. It is proposed to place in command Mr. Miller, who has had no experience in the operation of a hospital or in medical science.

The Board of Visitors is a statutory body, an unpaid body, which has for many years included the Surgeon General of the Army, the Surgeon General of the Navy, the Surgeon General of the Public Health Service, and interested and alert citizens—both men and women—of the District of Columbia. The value of such a board, as in the case of all other such hospitals, is very great indeed from the point of view of the expression of critical opinion and advice, as well as from the point of view of two-way interpretation between the hospital and the community, including, in the case of St. Elizabeths, the armed services.

Now, Mr. President, we are called upon, without having any reason whatever given, to permit the repeal of the act that created this Board and to permit the centralizing of authority in the hands of one man. I am of the opinion that we should not permit that to be done.

There is another provision in the third plan which is worthy of our attention. It provides for the transfer of the Bureau of Marine Inspection and Navigation to the United States Coast Guard, where during the war it had been temporarily transferred by Executive order issued under the First War Powers Act. Before the war this agency was a part of the Department of Commerce, having been transferred to it from the Treasury Department in 1903.

The question involved in this particular section is whether we should transfer a civilian agency to a military agency,

whether we should militarize this service. In 1939 the President attempted to place this agency under military service. Many years ago the Navy attempted to take over this service. The situation is clear from the testimony of Mr. James H. Moss, as found on page 199 of the record made before the committee. Mr. Moss, Director of the Division of Transportation, American Petroleum Institute. He went with the Government service and with this particular service during the war, and therefore I take it that he knows what he is talking about. In his testimony he tells us in no uncertain words that over almost a century of time the Congress of the United States has built up a civilian agency, and it has built up a system by which it has inspectors named from the civilian side of life. Mr. Moss points out that from 99 to 95 percent of all the employee inspectors are now civilians, coming from the rank and file of the merchant marine. He shows that we have built up a system of establishing, first, a supervising inspector, then a supervising inspector general, later a director, and finally the traveling inspectors. He shows that we have built up, by Congress, an appeals system which extends all the way up to the Secretary of the Department, for persons who feel aggrieved by the decisions of the inspectors.

Mr. President, during the war this department or agency was transferred to the Coast Guard. The law, as it now stands, would mean that this agency would go back to where it was at the end of a 6 months' period after the war. But instead of that, the President is now attempting to make the transfer permanent. Let us see what we said about such permanent transfers. The authority given was not to permit any of these transfers to be permanent, because section 5 of the Reorganization Act provides:

Sec. 5. (a) No organization plan shall provide for, and no reorganization under this act shall have the effect of—

(3) continuing any agency beyond the period authorized by law for its existence or beyond the time when it would have terminated if the reorganization had not been made; or

(4) continuing any function beyond the period authorized by law for its exercise, or beyond the time when it would have terminated if the reorganization had not been made, or beyond the time when the agency in which it was vested before the reorganization would have terminated if the reorganization had not been made.

The PRESIDING OFFICER (Mr. STANFILL in the chair). The Chair calls the Senator's attention to the fact that the time allotted to him by the Senator from Wisconsin has expired.

Mr. WILEY. I yield 5 minutes more to the Senator.

Mr. McCARRAN. Mr. President, what did the Senator from Wisconsin say to the Senator from Michigan?

Mr. FERGUSON. The Senator from Wisconsin yielded 5 minutes more to me, Mr. McCARRAN. I merely wished to know so that I could keep track.

Mr. FERGUSON. Mr. President, to show that this is merely a continuation of the transfer of this agency, as made

during the war under the War Powers Act, I refer the Senate to page 209 of the record. There the situation is clearly set forth. But we have only to examine the provisions which are recommended to become convinced that this plan was made, not by experts—and I think it is clear that the Bureau of the Budget kept these plans secret, and did not confer or consult with the various agencies—and that all the plans were built up, not by men who were familiar with all the facts, but by men who wished to create bureaus and to abolish acts of Congress by which provision was made for confirmation by the Senate of appointments, so that appointments could be made solely by the President. Those who drafted this plan, however, forgot to provide for abolishing the positions of traveling inspectors.

Mr. President, that situation clearly demonstrates that this plan is not one made by men who have in mind service to the people of America and the promotion of economy. It shows that the plan is a scheme to build bigger and, for the bureaucrats, better bureaus.

As I have said before, Mr. President, I am in favor of reorganization. I think it should be brought about; I think that I, as a Senator from Michigan, and that the other Members of the Senate, as representatives of their States, owe it to the people back home to urge reorganization and to fight for reorganization, but also to say to the President, "We expect that when you reorganize, you will have in mind service to the people and greater efficiency, and that you will also have in mind economy."

Mr. President, I cannot read the testimony of this expert, Mr. Lawrence, and come to any other conclusion than that the Board at St. Elizabeths and the present plan at St. Elizabeths, under which operations are now being conducted, should not be abolished and transferred to Mr. Miller or to any other one man. I am also of the opinion that the Commandant of the Coast Guard should not have charge of the civilian inspection work of the bureau. The record is full of testimony by those who represented the CIO and the A. F. of L., Mr. Haddock and Mr. Hawk, that their experience has shown them that the Commandant of the Coast Guard will not furnish the service to which the people of the United States are entitled in this case. It would be well for the Senators to read the testimony of those two men.

The PRESIDING OFFICER (Mr. KNOWLAND in the chair). The time of the Senator has expired. Does the Senator from Wisconsin yield further time to the Senator from Michigan?

Mr. FERGUSON. Mr. President, I should like to have permission to utter one more sentence.

Mr. WILEY. I yield 1 minute more to the Senator from Michigan.

Mr. FERGUSON. Mr. President, I have tried to review this record. I have tried to give to the Senate my best opinion, based on the testimony which was produced in the committee. I do not wish the Senators to view these reports as the considered judgment of the Ju-

diciary Committee. I think that all members of the Judiciary Committee agree that, because of the lack of time, this plan is not the considered judgment of the members of the committee. As the chairman of the committee has indicated, it was very difficult even to get members of the committee to preside over committee meetings. An unusual thing happened on one occasion, namely, a Republican Senator, a member of the minority, had to preside on occasion in the committee because at such times only one member of the committee was present, and he happened to be a member of the minority. That situation occurred because of the pressure of work in the Senate. We have had only 60 days in which to do this job, and now the plan comes before us at this late hour, when we are talking against time, when we even have to obtain concessions of a minute or 5 minutes in order to be able to complete statements on the floor of the Senate.

So we should think twice—yes, three times—before we approve these plans. Let us send them back, and let them be reconsidered, and come back again. This is no hurry job. I hope we shall give the problem due consideration.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. MORSE. Does the Senator from Michigan agree with me that the apparent interest in this subject, as shown by the present attendance of Senators on the floor of the Senate, would also indicate that we should pass the matter over to the next session of Congress?

The PRESIDING OFFICER. The time of the Senator from Michigan has expired.

Mr. FERGUSON. Mr. President, I should like to answer that question. I think what the Senator from Oregon has pointed out is conclusive evidence of the fact that we are not prepared to consider these plans today or, at least, to approve them.

Mr. McCARRAN. Mr. President, I shall be glad to accommodate the Senator. I am perfectly willing to have the Senate adjourn from today until Tuesday next.

Mr. DONNELL. Mr. President—

Mr. WILEY. Mr. President, I yield 15 minutes to the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 15 minutes.

Mr. DONNELL. Mr. President, I rise at this time to oppose the approval of reorganization plan No. 3. The Senator from Michigan (Mr. FERGUSON) has pointed out so clearly that it needs no further repetition, that the Senate of the United States has not had adequate time to give proper consideration not only to this plan but the other two plans as well. Doubtless, they will be called up for action in due time after action has been taken on plan No. 3. The Senator from Michigan referred to the fact that we have had 60 days since the 16th of May. That is true. Yet, Mr. President, this matter was referred, as was appropriate, to the Committee on the Judiciary. The committee did not find it

practicable, or, at least, did not undertake to examine the matter until June 14, and did not complete its hearings until June 27, and, as stated by the distinguished chairman of the committee, it was not until July 3, which was only 9 days ago, that the printed copies of those extensive hearings, aggregating 471 printed pages, were made available to the Members of the Senate exclusive of the members of the committee. So, Mr. President, the Members of the Senate, not including the members of the committee, have had only 9 days of time in which to consider not alone plan No. 3 but also plan No. 1 and plan No. 2.

I shall speak but a very few moments on plan No. 3, but I desire to call attention to the fact that the broad and comprehensive nature of the problems presented by the three plans clearly appears from an inspection of them.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. MORSE. Before the Senator goes into that matter, I should like to ask him if he recalls that he, as a Senator from Missouri, and I, as the junior Senator from Oregon, opposed the reorganization plan at the time it was before the Senate, and that during the course of our argument against the adoption of such legislation we protested, first, against the provision that the plan would automatically become the law unless both Houses of the Congress rejected it. The Senator and I went into the history of legislation and pointed out that constitutionally no such power could ever be given the Chief Executive of this country. Does the Senator recall that?

Mr. DONNELL. I recall it very distinctly, and I may say, in fairness to our distinguished colleague the Senator from New Jersey [Mr. SMITH] that he joined with us in a vigorous protest against the plan, largely on the basis of the point which has been referred to by the distinguished junior Senator from Oregon.

Mr. MORSE. And we also pointed out during the course of the debate—and it is quite true that the Senator from New Jersey joined us—that there was danger of our finding ourselves in such a situation that adequate consideration could not be given to the reorganization plans which might be submitted. That is exactly the situation in which we find ourselves today.

Mr. DONNELL. Mr. President, what the Senator has said is precisely true, and it illustrates clearly one of the great evils of undertaking to delegate to the Executive the power to initiate legislation and then present it to the Congress and say, "If you do not disapprove it, it will become the law of the land."

Mr. MORSE. Mr. President, will the Senator yield further to me?

Mr. DONNELL. I yield.

Mr. MORSE. One more question and I am through. What the Senator from Missouri has said is true, especially when the legislation contains what we might call a time-clock limitation to the effect that unless the Congress takes action as of a certain time—when the hands of the clock reach that time—the legislation automatically becomes the law of the land.

Mr. DONNELL. Mr. President, the Senator from Oregon has stated a very clear exposition of one of the great evils inherent in the type of legislation which was passed by the Senate over the vigorous opposition of the Senator from Oregon, the Senator from New Jersey, and other Senators.

Mr. MORSE. Mr. President, I shall not take any further time, but I wish merely to say that the procedure contained in the legislation itself, irrespective of the merits of its substantive content, in my judgment, dictates a vote against it. I do not believe we can justify continuing in this country legislation which vests in the President of the United States autocratic power over the passage of substantive legislation which in effect takes away from the Congress of the United States the final responsibility which it has in passing legislation which will be binding upon 140,000,000 American people.

Mr. DONNELL. I join with pride in the remarks of the distinguished Senator from Oregon. I concur 100 percent in the statement with reference to the iniquity of any such type of legislation as that which was passed last year vesting in the hands of the Executive of the United States legislative power which cannot be legally delegated by the Congress of the United States to that branch of the Government.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. SMITH. I should like to ask the distinguished Senator from Missouri where we would be if we took all day today, and all day Monday to debate plans 3 and 2, and did not reach plan No. 1? According to my understanding of the law, plan No. 1 may go into effect without being voted upon by this body.

Mr. DONNELL. The Senator is correct, and his statement clearly illustrates the harmful and deleterious effect of legislation such as that which was passed last year on this subject.

Mr. MORSE. Mr. President, will the Senator further yield to me?

Mr. DONNELL. I yield.

Mr. MORSE. I may say to the Senator from New Jersey that I am sure he knows my views with regard to the filibuster technique, but what we have actually done in this proposal is to legalize an interesting type of filibuster. When we get into a time situation such as that in which we now find ourselves, if strategy should prevail on the floor of the Senate this proposal could become law by the use of the filibuster. I hope that Senators will keep that in mind when they survey the procedure of this proposal.

Mr. McCARRAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Nevada?

Mr. DONNELL. I yield.

Mr. McCARRAN. I do not like this scene of arousement which we have gotten into. I am entirely content to accommodate my friends so that they may vote at any minute they wish. I should like to have the vote over with.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. McCARRAN. I do not know that I have the floor.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Jersey?

Mr. DONNELL. I yield.

Mr. SMITH. I wish to ask the Senator from Nevada if he will be willing to agree to a limitation of debate so that we can dispose of all three plans by midnight next Monday?

Mr. McCARRAN. I shall deal with that matter when we come to it.

Mr. SMITH. I am merely asking for an agreement to limit debate. One of these plans may never come before the Senate for consideration.

Mr. DONNELL. Mr. President, I wish to return to the argument which I was about to present. I was stating that we have not had adequate time to study the plans in all their volume, content, and intricacy.

Plan No. 1 deals with the question relating to the Office of Inter-American Affairs, the Department of State, the United States High Commissioner to the Philippine Islands, the Department of the Treasury, the Department of Agriculture, the Office of War Mobilization and Reconversion, the National Housing Agency, and the Federal Deposit Insurance Corporation. The other two plans speak for themselves and, due to the limitation of my time, I shall not refer further to them. But the fact is, Mr. President, that with only 9 days in which to study this matter, we cannot give it proper and adequate attention. That statement is obviously true, taking into consideration the peculiar crowded condition of the business of the Senate. Senators well recall that we did not adjourn yesterday's session until 1:59 a. m. today, and that the Senate remained in session the night before until a late hour. I assert that such conditions make it obvious that it is unwise and improper to pass upon a matter of such importance at this time.

Mr. President, I appreciate the fact that my time has already nearly expired. That this proposal is by no means deserving of the blindfolded support of the Members of the Senate appears from the fact that, in the first place, plan No. 1 was rejected by the House of Representatives by a vote of 180 to 37, and plan No. 2 was rejected by the House of Representatives by a vote of 166 to 40. The Record, as indicated a while ago in the colloquy which took place, shows that a roll-call vote was not taken on Plan No. 3, but it was likewise disapproved by the House of Representatives.

Mr. President, the action of the Committee on the Judiciary, I understood the distinguished chairman to say, was a bare majority of 9 to 7. So obviously, in the Judiciary Committee there were grave doubts in the minds of at least a substantial majority of its members with reference to the wisdom of this particular type of legislation.

Mr. President, I ask the distinguished Senator from Wisconsin if I may have five additional minutes.

The PRESIDING OFFICER. The time of the Senator from Missouri has not yet expired.

Mr. WILEY. I agree that the Senator may have five additional minutes.

Mr. DONNELL. Mr. President, to my mind, the report of the Committee of the House of Representatives on this particular proposal No. 3, deserves the careful consideration of this body. I refer to the observations which were read today by the Senator from Michigan (Mr. FERGUSON) with respect to the effect which the plan would have on St. Elizabeths Hospital in the city of Washington. I read part of the statement with reference to that point, and said that later I would undertake to read it all. The Senator from Michigan has already saved me that necessity. However, I wish to add one sentence to the portion which he read. I invite attention to the following language:

Reorganization plan No. 3 would inevitably bring a certain amount of demoralization and reduction of its effectiveness at the very time when its services are most urgently needed.

I call attention to the next sentence, which reads as follows:

It seems to the committee—

That is, to the Committee of the House of Representatives—

It seems to the committee that to impair the teaching facilities at St. Elizabeths at this particular time would be on a par with splitting up and disorganizing West Point and Annapolis in the midst of a hard war.

Who was it that said that? It was the committee for which the distinguished Member of Congress, Dr. Judd, submitted the report. From his biography in the Congressional Directory it appears that Dr. Judd is a "physician and surgeon; fellowship in surgery, Mayo Foundation, Rochester, Minn., 1932-34; medical missionary and hospital superintendent in China, 1925-31; entered private medical practice in Minneapolis in January 1941."

I say, Mr. President, that upon this proposition alone, upon the fact that the House of Representatives committee made these striking comments as to the effect upon St. Elizabeths Hospital, it is unwise to approve plan No. 3.

There were indicated in the colloquy between the distinguished Senator from Oregon (Mr. CORDON), the distinguished Senator from Nevada (Mr. McCARRAN), and myself earlier, certain facts with relation to the proposed plan as it affects the land administration of this country. It abolishes the General Land Office. It transfers the functions of it to a new bureau to be organized.

It repeals an act of Congress which made the appointment of the Commissioner of the Land Office dependent upon the advice and consent of the Senate. This reorganization plan very carefully deletes that and deletes also the provision with respect to the advice and consent of the Senate being required to the appointment of the registers in the various district land offices. It repeals the requirement of residence within the district in which the office over which the register presides is located.

Mr. President, I say these facts with relation to St. Elizabeths Hospital and with relation to the Land Office are sig-

nificant illustrations of the fact that it would be the part of unwisdom and folly to approve this plan at this time.

Mr. President, there is another proposition which has been referred to, that is, the matter of the transfer of the functions of the Bureau of Marine Inspection and Navigation. I shall not go into that in detail.

Let me conclude my remarks by stating this significant fact, which was mentioned and pointed out very clearly by the distinguished junior Senator from Michigan (Mr. FERGUSON) that the statute obviously requires certain things to be in contemplation in preparation and submission of reorganization plans. It was pointed out by him that the statute of 1945 says that it is the expectation of the Congress that the transfers, consolidations, coordinations, and abolitions under the act shall accomplish an over-all reduction of at least 25 percent of the administrative cost of the agency or agencies affected.

In response to inquiries from myself, the Senator from Nevada indicated that he was unable to give us with any assurance the amount of savings which would be effected with respect to plan No. 3. I think I am fairly quoting him in saying that he likewise indicated that there is nothing conclusive in the record as to what savings will be effected with respect to all three of the plans. Indeed, the report of the committee takes the view that under the statute it is unnecessary that any specific savings shall be effected.

So, Mr. President, I submit, first, that the Senate has not had adequate time to study this proposition. I shall speak further upon that, if I may, with respect to the other two plans. But with respect to this one, in conjunction with the other two, we have not had adequate time, in 9 days, to pass upon a reorganization of the Government, in large part, and particularly to pass upon the abolition of a statute which has been upon the statute books of the United States since 1812, namely, that relating to the General Land Office.

Mr. President, I am opposed to the approval of plan No. 3.

Mr. WILEY. Mr. President, I wish to suggest a unanimous-consent proposal to the distinguished chairman of the Committee on the Judiciary, that immediately after a quorum call at 3:30 o'clock we proceed to vote on the question now before the Senate.

Mr. McCARRAN. Mr. President, the leader of the majority is now en route to the Senate. I understand he desires to make some remarks with reference to the pending matter. Otherwise, I should be very glad to join in the unanimous-consent request. I am not certain when the leader will arrive in the Chamber, but I think he will be here within a few minutes. I should not care to foreclose him from making any statement he may desire to make. I hope that with his presence here I can join in the unanimous-consent request.

Mr. WILEY. I thank the Senator. I made my proposal pursuant to his suggestion that those on the other side were ready to vote at any time.

Mr. McCARRAN. That is correct.

Mr. WILEY. I now yield 25 minutes to the Senator from Oregon (Mr. CORDON).

The PRESIDING OFFICER. The Senator from Oregon is recognized for 25 minutes.

Mr. CORDON. Mr. President, it is most unfortunate indeed, in my opinion, it approaches the point, that there should be today so few of my colleagues on the floor of the Senate interested in the very important matter which is now pending. I recognize the reason for the situation. Most of us did not have an opportunity to get a wink of sleep until 3 o'clock this morning. We have had night sessions, have been working day and night, and it seems almost as though everything possible has conspired to prevent a full consideration of what to me is one of the most important matters that will come before the United States Senate at this session. I hope that the Chief Executive, and those who advised with him in preparing these reorganization plans, showed greater interest in the subject than this body is showing in its division of the responsibility at the moment.

Mr. President, I have endeavored, in the short time I have had, to go through the hearings of the Committee on the Judiciary in this matter. I have not been able to read all the hearings, nor have I been able to pick out those portions which to me seem to be the most important, because the matter has been hurried so rapidly that the printer was unable even to put a subject-matter index in the copy of the printed hearings. It is impossible to pick out in this volume of hearings the subject matters in which one may be interested in order to determine what testimony has been presented with reference to it. Therefore to some extent I had to turn to the reports, and I wish to call attention to one report, because I think it is typical. I refer now to the report of our own Committee on the Judiciary on section 501 of plan No. 3. That plan provides for the transfer to the Secretary of Agriculture of the functions and duties of the Agricultural Adjustment Administration, the Surplus Marketing Administration, and the administration of the programs of the Federal Crop Insurance Corporation and the Commodity Credit Corporation.

It does not take any study to realize that the transfer of the functions or the administration of the programs of the Federal Crop Insurance Corporation and the Commodity Credit Corporation as a permanent transfer to the Department of Agriculture is a matter of grave moment to the agricultural interests of this country. Certainly it is an important matter. At least, it was so important that the president of the American Farm Bureau Federation took the time to send me the following telegram:

The American Farm Bureau Federation strongly opposed to President's reorganization plan No. 3 because of the provisions of section 501 which transfer the functions and program of Agricultural Adjustment Administration, Surplus Marketing Administration, Commodity Credit Corporation, and Federal Crop Insurance Corporation to the Secretary of Agriculture, and which would permit the Secretary to abolish these agencies completely and transfer their functions

to any other agencies of the Department that he see fit. American Farm Bureau Federation believes in economy in Government expenditures and favors administrative reorganization found necessary to save economy and efficiency but we do not believe it would be wise to give the Secretary of Agriculture such sweeping power over agencies originally established by act of Congress. We therefore respectfully urge favorable action on Senate Resolution 68 disapproving the President's reorganization plan No. 3.

Mr. President, that telegram comes from the representative of agricultural interests of the United States, those for whom the Commodity Credit Corporation and the Federal Crop Insurance Corporation were created. Congress created those agencies as independent agencies of the Government to aid the agricultural interests, and the agricultural interests today oppose any plan to change the basic operations of those agencies which the Congress itself created.

Mr. President, what is to be gained by reorganization? Is efficiency to be gained by it? Is economy to be gained by it? The President of the United States is silent on the subject. There are general conclusions, glittering generalities, and promises made, but there is no statement anywhere in any of these plans where the savings which would be effected in personnel or in expenditure of money are shown or even estimated. There is nothing indicative of any real value to be achieved by the plan. Why should changes be made?

Let me now call the attention of the Senators present to what the committee itself has said about the matter. I read now from the committee report with reference to section 501:

SECTION 501

This section transfers to the Secretary of Agriculture (a) the functions and duties of the Agricultural Adjustment Administration and the Surplus Marketing Administration and (b) the administration of the programs of the Federal Crop Insurance Corporation and the Commodity Credit Corporation.

(Government witnesses testified that while the provisions of this section will give the Secretary of Agriculture complete control of the programs of the Federal Crop Insurance Corporation and the Commodity Credit Corporation, these Corporations would continue in existence as corporate entities.)

Mr. President, I interpolate the question: Where is there saving or an increase of efficiency there? The operation is proposed to be transferred from the right side to the left side, and vice versa, but both organizations are kept continuously in existence. I continue reading from the report, and I call particular attention to this language:

There was apparently some confusion as to whether the President's plan intended that the programs of these Corporations should be administered by the Secretary of Agriculture through the Corporations or in some other manner; and in view of this uncertainty,

the conclusion of the committee is:

It is probable that the plan would permit the Secretary to adopt whatever course, in this regard, he might choose to pursue.

Mr. President, there appeared before the committee a representative of the Department of the Interior and a rep-

resentative of the Bureau of the Budget. Neither could tell the committee what was intended to be done under this reorganization plan. They did not know. They were sent down here as the voice, as the mouthpiece of the two agencies most concerned. We are asked to put our O. K. on governmental reorganizations which, according to testimony of its proponents, have received so little consideration from the executive branch that that branch itself does not know what it is going to do with the reorganization after it is authorized.

Mr. President, there is room, God knows, in the executive department for reorganization. There is room for increase in efficiency. There is room for great economies to be effected. But they cannot be effected in the way proposed. Someone must study the problem. Someone must plan a reorganization. Someone in advance must determine where cuts can be made, where consolidations can be brought about, which of the personnel can be eliminated, and what expenditures may be reduced. If anyone had done that, Mr. President, the committee would have been advised and the Congress would have been advised and we would have been in a position intelligently to determine whether the reorganization plan would effect good results. Since the proponents themselves have been given the opportunity to present their case and have so utterly failed to do so, I feel we are entitled to believe that they have not sufficiently studied the subject to have any opinion, and that therefore our vote should be against the plan which is offered.

Mr. President, I know something about the Interior Department, and at this time I want to say that the few words I am about to speak on that subject are not directed against any individual. I have the highest regard for the present Secretary of the Interior, and I have high hope that he will do an outstanding job of administration. But, Mr. President, human nature is the same wherever one finds it, I care not who the individual may be. If he is going to present to another for decision a plan of operation, he should come with the plan developed. I cannot find in these hearings any well-worked-out plan for the great changes expected to be made in the Interior Department, where it is intended to abolish one of the oldest statutory agencies in the history of the United States, the General Land Office.

Mr. President, the General Land Office, as I said in my colloquy some time ago with the distinguished senior Senator from Nevada, is initially and basically an office of record and of judicial determination with reference to the lands of the United States. It is not a land-management agency. It is an agency under which hundreds of millions of acres of United States territory have been transferred from public to private ownership. It is the agency under which all the railroad grants were negotiated and later on determined and settled. It is the agency under which all the homesteads were taken and patented, as well as the timber claims. It is the agency which now administers the gen-

eral mining law. It is the agency which administers the general leasing law, and so forth. It is following statutory directions. It is proposed to take that agency bodily, abolish all its officers, and incorporate it into a new agency of land management. The Land Office is not a land-management agency. It functions have nothing to do with land management. I can see no justification for a change of that character, and I can see some dreadful potentialities in it, so far as the vast areas of the western land States are concerned.

Mr. President, let us have an opportunity to determine these things. Let us cast our negative vote and say to the President of the United States, "Return your plans to a new Congress, and bring with them adequate and specific information. Tell us what you intend to do, how you intend to do it, how you can increase efficiency, how you can promote economy." Then, Mr. President, we will be in a position to work most cooperatively with the Chief Executive in the matter.

Mr. WILEY. Mr. President, I desire to make a unanimous-consent request. The request is that after the majority leader has spoken—I understand he wishes to speak for 45 minutes—a quorum be called and a vote be taken on the pending matter.

Mr. BARKLEY. Mr. President, I do not know whether any other Senator desires to speak. I do not know that I will want 45 minutes. I do wish to make some general remarks about plan No. 3 and about the general situation with regard to all the plans. But I would not want to cut off any other Senator who might want to speak on the subject.

Mr. WILEY. I will say that I am following the suggestion of the Senator from Nevada [Mr. McCARRAN], who said he was ready to vote at any time.

Mr. McCARRAN. I will say that both the Senator from Kentucky and I would want a quorum call before we enter into any unanimous-consent agreement. Perhaps there are other Senators who favor the plan who will wish to speak. I have not heard that any other Senators do wish to speak.

Mr. BARKLEY. I shall take only as much time as I may need. It may not be 45 minutes.

Mr. MORSE. Mr. President, may I say a word with regard to the suggestion of a quorum call? I think it quite proper that a quorum be called, but in advance of the development of any situation. I want to make a plea to the majority leader that all the rules and powers of the Senate be brought to bear to see to it that a quorum is present on the floor of the Senate, no matter how long the debate may continue.

I point out to the majority leader that the finest cooperation was extended to him, as he so richly deserved, throughout the OPA debate. We are now confronted with a parliamentary situation which involves the question of time running against us. I do not wish to see developed on the floor of the Senate any strategy whereby this legislation will become a law because of the passage of time due to failure to produce a quorum on the floor of the Senate.

I am sure the majority leader appreciates the position of Senators who find themselves in opposition to this plan. Before any situation develops as a result of the possible lack of a quorum, let me say to the majority leader, as one Member of the Senate, that I hope all the rules of the Senate, including the arrest rule, if necessary, will be invoked to see to it that a quorum is produced tonight, tomorrow if necessary, and Monday until we have disposed of the pending business by way of a vote rather than by way of mere passage of time.

The PRESIDING OFFICER. Of course, in case a quorum is not present the majority of those present may order the bringing in of absent Members. If that contingency arises, it will be met at that time.

MR. McCARRAN. Mr. President, I yield to the Senator from Kentucky [Mr. BARKLEY] for 40 minutes.

MR. BARKLEY. Mr. President, I think I fully appreciate my duties in regard to the effort to obtain a quorum under any circumstances. I hope I have never failed to perform them. It is not necessary to obtain unanimous consent for a quorum call. Any Senator may make the point of no quorum at any time. I do not exactly see the necessity of being advised about that, because any Senator has the right to make the point of no quorum at any time he sees fit to do so. I certainly would not want the pending resolution, or any of the other similar resolutions, to be acted upon without a quorum. I should like to see as full an attendance as possible in the Senate.

MR. President, I hope I shall not take the entire time allotted to me by the Senator from Nevada. I wish to discuss in a general way the question of reorganization under the act which Congress passed.

I have been a Member of Congress for a great many years. Almost from the beginning of my service in the other body there has been general complaint against the sprawling complication and make-up of the executive departments of the Government of the United States. They have grown up like Topsy. One has been added to another, and still others have been added in various combinations. Presumably each one has been created because of a situation which developed requiring a new agency of government. When the various independent agencies or bureaus were established apparently no thought was given to their coordination with or allocation to any other agency which might have functions to perform in the same or a similar field, whether they should be allocated to any given department, or whether there was any relationship between the functions of any particular bureau, agency, or subdivision and those of the parent organization.

When I came to Congress there was in existence the Revenue Cutter Service, which was under the Treasury Department. Revenue cutters were supposed to chase those who were seeking to violate the revenue laws of the United States by smuggling goods into the United States without the payment of tariffs. Probably it was appropriate in the early days that the Revenue Cutter

Service should be under the Treasury Department.

I was a member of the Committee on Interstate and Foreign Commerce of the House, which had jurisdiction, as I now recall, of the Revenue Cutter Service, and also the Coast Guard, which was independent. It was not in the Navy or in the Treasury. It was an independent agency. Finally we enacted a law which consolidated the Coast Guard and the Revenue Cutter Service. There was objection. The Revenue Cutter Service did not want to be consolidated with the Coast Guard, for fear the Coast Guard might absorb the Revenue Cutter Service, and it would no longer be known in the nomenclature of our Government as it had been known for more than a century. We had the same protest from the Revenue Cutter Service that we now have from other bureaus or agencies because they have been consolidated under this reorganization plan with some other agency.

However, the two agencies were consolidated, and the Revenue Cutter Service, as such, went out of existence. The Coast Guard has performed all its duties and functions from that time until now; and since the functions of the two agencies were consolidated they have been performed more efficiently than they were ever performed prior to the consolidation.

As I view it, it is not a matter of any consequence, growing out of pride or historical nomenclature with respect to some agency, whether the name of an organization is preserved. The object is to serve the American people in the most efficient and economical way. No one now complains about the consolidation of the Coast Guard and the Revenue Cutter Service, which has been in effect for a quarter of a century or more. I mention that example simply to show the type of opposition to any sort of consolidation. Men who have been identified with a particular bureau, agency, or service naturally take pride in being identified with that service. They do not like to give up the name. They do not like to be placed under some other agency, because they may not have as much authority as they formerly had.

There never will be a time, so long as this Government endures, when everyone in any bureau or agency which is consolidated with another will be satisfied. There will always be complaints. Those interested will always be calling up Senators and Representatives, and in some cases they will be organizing to thwart the purpose of Congress and the President with respect to the consolidation of any given bureau or agency with some other bureau or agency. We might as well expect that, and it has taken place in this particular situation. We have been called up by Government employees. I have received letters from my own State, from employees of some agency being consolidated with another agency, complaining because they did not want to go into the other agency. It is not a question of economy. It is not a question of greater efficiency in the service of the public. They have been employees of a given bureau or agency from

time immemorial, and they wish to continue in that status.

MR. AUSTIN. Mr. President, will the Senator yield?

MR. BARKLEY. I yield.

MR. AUSTIN. Is it not a fact that the policy with respect to change of name was determined when we enacted the law? Section 4 of the act provides as follows:

Any reorganization plan transmitted by the President under section 3—

(1) shall change, in such cases as he deems necessary, the name of any agency affected by a reorganization, and the title of its head; and shall designate the name of any agency resulting from a reorganization and the title of its head.

MR. BARKLEY. Absolutely. Congress sanctioned changes in names. It foresaw the possibility that in a given consolidation in which the President might bring together different bureaus or agencies he might change the name. He might even designate the consolidated agency by an over-all name which might even be different from the name of any single constituent bureau or agency prior to the consolidation.

We have been trying to bring about economy. We have been trying to bring about a reduction in unnecessary bureaus and agencies. A few years ago someone compiled statistics indicating how many independent bureaus and agencies there were floating around Washington. I do not remember whether the number was 100 or 200. I am sure that there are more of them now than there were then.

So for many years Congress has talked about economy, efficiency, consolidation, and reorganization, but it never did anything about it until a few years ago, when Congress enacted a temporary reorganization bill. I was a member of the committee. At first a joint committee of the two Houses was authorized and appointed to work out a consolidation and reorganization of Government departments. The joint committee met once. It could not even agree upon how to start. It never held another meeting.

Finally there was established in the Senate a Committee on Reorganization, of which the distinguished Senator from South Carolina at that time, Mr. Byrnes, now Secretary of State, was made chairman. The Senator from Virginia [Mr. BYRD] was a member of the committee. I was also a member of the committee. I do not recall the names of all the members. We held long and tedious hearings with respect to the reorganization of bureaus and departments of the Government. We must have held hearings for weeks—perhaps months. Finally, we reported a temporary measure, the life of which, as I recall, was 2 or 3 years. I am not certain as to that. Perhaps the chairman of the committee can state.

MR. McCARRAN. It was 2 years.

MR. BARKLEY. Very well, the life of that reorganization bill was only 2 years. If no reorganization took place under it during the 2 years, of course the effect would be the same as if no law had ever been passed.

It was manifestly impossible to bring about any comprehensive reorganization of the departments of the Government

in a period of 2 years, especially under the conditions which then existed. But the law was enacted. President Roosevelt asked the question. He had to do it. He finally sent in, during the 2-year period, a sort of reorganization plan. It was all right so far as it went, but there was even opposition to it. When that reorganization plan was submitted, we had the same opposition; it may have been from a different source, but we had telephone calls and personal visits and letters from persons who did not want to be transferred from where they were to somewhere else, persons who were consulting their own convenience and their own desire, rather than the public service. That will be the case forever. There will never be a time when the President of the United States—any President, I do not care who he may be or to what party he may belong—will, in response to this law or any other law, be able to formulate a reorganization plan and submit it to Congress and have it unanimously accepted, even in the Government itself.

We all know that the Congress cannot reorganize the departments. The Congress has set them up one at a time. It has set them up without regard to their coordination, without regard to their association or the coordination of their duties with those of any other agency or bureau or department, according to the similarity of their work. We have simply set them up, and they have grown and grown and grown, like barnacles grow upon a ship as a result of constant exposure to water. Congress has never consolidated any of them by law, and it never will. In the very nature of things, Congress cannot do so.

At the present time, in view of the complexity of our Government, it is now almost like undertaking to pass a law fixing railroad rates. It is utterly impossible for Congress to do so. Theoretically, Congress has the power to do so, under the Constitution of the United States. Under the Constitution, Congress is given to right to regulate commerce, and that includes the regulation of rates for the transportation of passengers and freight from one State to another. But Congress could not do that, and, therefore, the Congress has set up the Interstate Commerce Commission as an agency of the Congress to do what it is physically and legislatively impossible for the Congress to do, namely, to prescribe schedules of rates applicable to all the transportation companies of the United States, whether they be for transportation by rail, boat, bus, or airplane. So we have not attempted to establish such rates ourselves, and it would be utterly impossible for the Congress to do so.

Long ago, under what I believe was a Republican administration—it may have been the administration of President Taft—the Congress, recognizing the impossibility of having Congress even fix rates, in view of our complex international commercial situation, created the Tariff Commission, giving it power to readjust tariff rates to the extent of 50 percent, because the Congress recognized its inability to deal with such problems year by year, as they might arise.

The Congress has not passed a tariff bill in 16 years. It may be questionable whether the Congress ever again will undertake a wholesale revision of the tariff, no matter what party is in power. More and more, tariffs have become an economic problem, not a political problem. That is what they are—they are more economic than political.

So the Congress has recognized that in the field of transportation it cannot spell out rates, and that in the field of tariff taxation and duties it cannot always spell out rates without giving someone the power to readjust them, due to conditions which may develop from time to time.

Now, of all times in the history of Congress, with all the complex problems which face the Congress today, with the multiplicity of duties which we are called upon to perform, with the interdependence of one section upon another section, with the interdependence of all sections upon all other sections of our country, and with the multitude of duties which we are called upon to perform in connection with legislative matters, we cannot undertake to retrace our steps with respect to these matters. In my judgment, we could not do it with respect to the reorganization of the multiplicated, overlapping agencies of the Government of the United States.

So we made a little progress during the 2 years of the life of the act which was passed back yonder in 1935 or 1936, I believe, or some time before the beginning of the European War. We made some progress, but not as much as we expected to make, I am frank to say. Involved as he was with the multiplicity of duties which pressed upon him, the President did not have time to go into all the details, although I believe he knew as much about the various agencies of the Government and the detailed operations of every branch of the Government as any man who ever occupied the Presidency ever knew. His detailed knowledge used to amaze me. He had an amazing knowledge of the operations of every little branch and division and bureau of the Government of the United States. It amazed me how any one man, with all the other duties which he had to perform, could keep his fingers on the detailed, meticulous performance of the functions of the various agencies and bureaus and departments of the Government of the United States.

As I have said, we made a little progress in that 2-year period; but it was not much, because notwithstanding the President's wide, profound knowledge of the operations of the various departments and agencies of the Government, he really did not get very far in making reorganizations.

So, recognizing the fact that from the very nature of its existence and from the very nature of its duties, the Congress itself could not reorganize the Government, could never come to a consensus of opinion as to which department or agency or bureau should be transferred to some other, or which independent agencies should be consolidated under one head—and Congress never could do so, and it had never done it, although it had talked about it for years and years—

the Congress again decided to make an effort to bring about some coordination, some consolidation, and some elimination of duplication of various bureaus and agencies. That need is greater now than it ever was before, in view of the mushroom growth of agencies and departments and bureaus as a result of the war. I do not say that by way of criticism, because that development was inevitable; it had to be. But of all times in the past when Congress has discussed or considered this subject, there never has been a time when there has been greater need for consolidation and for the elimination of duplication and for the fixing of responsibility at the top for the conduct of the business of the many correlated agencies and functions and services of the Government than there is at the present time.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. McCARRAN. I yielded 40 minutes to the Senator from Kentucky.

Mr. BARKLEY. I am sure I have not talked for 40 minutes.

The PRESIDING OFFICER. The Chair misunderstood. The Chair did not realize that the Senator from Kentucky had that much time.

Mr. BARKLEY. I had 40 minutes, Mr. President. I know how time slips away from a person who is speaking, but I hardly thought it had gone that quickly.

I thank the Senator from Nevada.

Mr. President, recognizing all those difficulties and the difficult and intricate problem which existed, Congress again tackled the job of writing a law which would authorize the only man in a position to have an over-all viewpoint concerning all Government departments and all agencies, to bring about a consolidation. That law has been made permanent. It is not a 2-year law; it is not a 3-year law; it is not a 5-year law. It is permanent legislation, available to any President of the United States. There is no politics in this, and certainly there should not be. From time to time any President who is a member of any political party or any political faith, taking into account the developments of our Government year after year, may send to the Congress proposals for the reorganization of the executive branch. We have retained the right during a 60-day period to pass judgment on the reorganization, and we have limited ourselves, by our own act and by the law, to a period of 60 days during which time—

Mr. McCARRAN. Mr. President, if the Senator will yield, I may say that the law states:

No reorganization specified in a reorganization plan shall take effect unless the plan is transmitted to the Congress before April 1, 1938.

Mr. BARKLEY. I thank the Senator. That statement is true. I thought the law itself was permanent, but any reorganization brought about under it must be submitted to the Congress. Does what the Senator read mean that the law itself will expire in 1948?

Mr. McCARRAN. No. The law may be continued in effect.

Mr. BARKLEY. In other words, the Congress can extend the time in which a reorganization plan may be sent to it. I thank the Senator.

Mr. President, we have limited ourselves by our own act to a period of 60 days during which we may reject the plan which is sent to the Congress by the President, or, by inaction, it may become operative automatically at the end of the 60-day period.

There is one way by which the plan could not become operative, but that would be an outright rejection by both Houses of the Congress during the 60-day period, or Congress might pass a resolution of affirmative approval before the expiration of the 60-day period, and thereby cut down the 60-day period, or Congress could do nothing about it and at the end of the 60-day period the reorganization plan would take effect. In both these enactments Congress has recognized its inability to reorganize the Government of the United States. In making that statement, I cast no reflection upon the Members of Congress as individual beings, but the Congress has recognized its legislative inability to reorganize the Government of the United States. From year to year, and from decade to decade, Congress has added other agencies to the various agencies which already existed, instead of allocating them to some department at the time of their creation. I believe it is fair to say that Congress has recognized that it could not, in the very nature of things, expend the necessary time and energy to consolidate and reorganize the Government of the United States in order to eliminate duplication and bring about greater efficiency in the operation of the Government. Therefore, Congress has created an agency for that purpose. I suppose that the Congress could have created a commission such as the Interstate Commerce Commission, or the Communications Commission, or the Federal Trade Commission, or some other commission to act as the commission of Congress in reorganizing and consolidating all the various bureaus and agencies which Congress itself had created. But the Congress did not see fit to do that. It designated the one man best equipped to do it. That man is the President of the United States. He is charged, under the Constitution, with seeing that the laws are observed and executed. By reason of the reports which he receives from Cabinet heads and the heads of various agencies of the Government, the President is assumed to know what is taking place. He knows more about duplication of various agency functions than does any other man, or any commission in the United States. Therefore, Congress has designated the President as its agent in bringing about these consolidations.

Congress is now confronted with the necessity of passing upon one of the plans which the President sent to it. I refer to plan No. 3. I shall not go into the details of the plan. It has been explained by the Senator from Nevada (Mr. McCARRAN), the chairman of the committee reporting the plan. The plan has many subdivisions. It deals with the Bureau of Customs in the Treasury

Department; it deals with the functions of the Treasury; it deals with the functions of the War and Navy Departments; and it deals with the subdivisions, agencies, bureaus, and institutions under the control of the War and Navy Departments. There may have been some objection registered on the part of the War Department and the Navy Department, but I have not heard of them. The plan deals, in the Navy Department, with the Hydrographic Office and with the Naval Observatory. I have not heard any objection to that. The plan also deals with the matter of mineral deposits in certain lands of the United States. The plan provides for establishing a Bureau of Land Management. Why not? I understand objection has been made that, because the General Land Office is, in a sense, to be eliminated and a Bureau of Land Management is to be created, an important department of the Government will be abolished. The Government of the United States is interested in many functions pertaining to lands and public property everywhere which may not come under the General Land Office. Why not establish a Bureau of Land Management? Of course, it would be a bureau, and any person appointed as the head of the bureau would immediately become a bureaucrat. The mere fact that someone is the head of a bureau makes him, in the estimation of many persons, a bureaucrat. But what else is he except the head of a bureau? The Congress created a Bureau of Internal Revenue within the Treasury Department. That Bureau was created by legislation. It is called a bureau. Yet, because some man heads that bureau he is a bureaucrat. I assume that the manager of the Bureau of Land Management will have duties to perform which will be additional to those performed by the man who is now the head of the General Land Office. The bureau is to be a Bureau of Land Management. I do not see why anyone should object to it.

We now come to the Department of Agriculture. The War Food Administration was set up by an Executive order. I presume it will go out of business very soon. There are many functions within the Department of Agriculture which could very well be consolidated. My objection is that I do not believe the President has gone far enough. I am sure that he will attempt to go further in the reorganization and consolidation of those agencies and bureaus of the Government.

We come also to the Department of Commerce which deals with certain functions of the Bureau of Standards. That is a bureau. When Congress set up a Bureau of Standards, in the law it was called a bureau, and it has always been a bureau. According to our modern definition of a bureaucrat, I suppose that the head of the Bureau of Standards is a bureaucrat.

Plan No. 3 also deals with the National Labor Relations Board with respect to strike ballots under the War Labor Disputes Act. Does anyone object to that? For a long time we have had sprawling, scattered, disconnected, unrelated agencies dealing with labor problems. If we

could do something which would bring about a consolidation of all those various functions, any person interested in labor problems would know where to go in order to obtain information. A consolidation of all those functions would be in the interest of an efficient administration of our Government.

The Smithsonian Institution is a special ward of Congress. In a sense, it comes under a joint committee of the two Houses of Congress. Under that institution we have the Canal Zone Biological Area. The proposed consolidation also deals with that. I do not know whether anyone is particularly interested in a biological area.

Under the United States Employment Service we have a problem involving placement functions under the Selective Training and Service Act of 1940 under which we owe certain obligations to ex-service men. The President undertakes to deal with that in this plan.

Mr. President, this, I hope, is only the beginning, only a scratching of the surface. For Congress to turn down by an adverse vote the first plan that has been submitted to us by the President of the United States, under a law we enacted, and in which we placed our own limitations, in my opinion would discourage any further effort to consolidate or to reorganize the Government, and 1948 might come and go without any further effort. I do not say that would happen.

The President, in an effort to comply with the act of Congress, has come forward with a program, not a comprehensive one, feeling his way, rather, toward a reorganization and coordination of the various sprawling agencies of the Government, and if we are to discourage his effort by turning down the first three programs he has sent to us, I am not sure we will encourage anyone to believe that we are very greatly interested in economy or the elimination of duplication on the part of the Government of the United States.

Mr. TAFT. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. TAFT. I have no particular objection to plan No. 3, though I have to one of the others, but I think the Senator lays undue stress on the President's interest and part in preparing the plans. So far as I can discover, these plans were prepared in the Bureau of the Budget, and very few knew anything about them until a day or two before they were submitted. They were not submitted to any of the departments concerned, they were not given a chance to protest, they were not given a chance to say anything. I feel very strongly that at the last moment someone thought, "We have to get something in in order to get it to Congress so that we may say we acted under the Reorganization Act this year. We have to get it in in a hurry." So far as I can determine, it came in in a hurry, without such consultation as I have indicated, and I personally question whether the President had more to do with it than merely to look over the plan and accept the recommendations of the head of the Bureau of the Budget.

Mr. BARKLEY. I do not know to what extent the Senator is correct in that the various departments were not consulted. I do not know whether he knows that to be true.

Mr. TAFT. I have some direct information to that effect.

Mr. BARKLEY. I do not think it is shown in the hearings of the committee, before which any department had the right to come and protest.

Mr. McCARRAN. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. McCARRAN. It was established that these plans were submitted to all the departments for suggestions or rejection.

Mr. FERGUSON. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. I yield.

Mr. FERGUSON. If I may ask the chairman of the Committee on the Judiciary a question, Does the record show that the Compensation Commission was ever consulted? Does it not show just the opposite, that it was never consulted?

Mr. McCARRAN. The Compensation Commission may not have been consulted.

Mr. TAFT. I can say that the National Housing Agency was not consulted until 2 days before the plan was presented to Congress, and that no change was made after that time. There was hardly time to make a change. I do not say the National Housing Agency is against the plan. I am merely speaking of the method pursued in preparing these plans and putting them together.

Mr. BARKLEY. The question as to the National Housing Agency will come up under plan No. 1, and I do not care to enter upon a discussion of that further than to say that the National Housing Agency is very much in favor of plan No. 1, which involves it. It would be manifestly impossible for the President of the United States to consult every human being in the Government who might have an opinion.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. BARKLEY. I should like to have 10 minutes more.

Mr. McCARRAN. I yield 10 minutes more to the Senator from Kentucky.

Mr. President, if the Senator from Kentucky will yield just a moment, the Record shows that this question was propounded in the hearings:

Was the final drafting of these plans a staff job, or was there any one person, or any particular group of persons who were charged with that responsibility?

Mr. SMITH. Pretty generally, it is a staff job, depending on the subject matter. Some one or two people were recognized as having particular competence in that subject and in that field. Aside from that, I went over all the drafting, and the counsel of the Bureau went over all the drafting. Then it was submitted to the President and to the Army General. That is the procedure.

Mr. BARKLEY. Of course, the President had to designate someone to assume the responsibility of undertaking to make suggestions for the reorganization plans. He could not do it himself. I do not know anyone better qualified

than the Director of the Bureau of the Budget, because he is acquainted with all the departments of Government and their functions. But the President took the final responsibility. It is bound to be his responsibility. He was bound to ask the assistance of and consultation with someone who was competent by reason of his official position or his experience to recommend to the President the consolidation of the various agencies. The fact that the Bureau of the Budget may have taken a prominent or even an outstanding part in the matter certainly, it seems to me, should not condemn it. The recommendation is here on its merits. The President has taken the responsibility for it. He has urged it upon us, and it is my belief that unless we endorse these efforts, these very modest efforts, these very incomplete efforts, as I see them, to bring about efficiency and economy in the operation of the Government of the United States, it may be a long time before we will have an opportunity to pass upon another plan.

We cannot stand on the floor of the Senate and denounce duplication, denounce expenses, denounce extravagance in the operation of the Government, and then reject the first plan sent to us designed to secure greater efficiency, eliminate duplication, and bring about some economy in the operation of the Government of the United States.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CORDON. Can the majority leader refer me to any paragraph, sentence, or word in any of the plans which shows the Congress of the United States that there will be a dollar of saving?

Mr. BARKLEY. That would depend on the Congress. We hold the purse strings.

Mr. CORDON. I suggest that if we hold the purse strings we do not need any reorganization.

Mr. BARKLEY. The Senator is entitled to his opinion about that. If he thinks we do not need any reorganization, then he should never have voted for the law giving the President the right to bring about the reorganization. Perhaps he did not vote for it.

Mr. CORDON. As a matter of fact, I did not, but I was prepared to vote for a plan under which the Congress would have an opportunity to exercise judgment, without having to swallow the whole bait or none at all.

Mr. BARKLEY. Did the Senator vote against the law which is now on the statute books?

Mr. CORDON. That is what I am speaking of.

Mr. BARKLEY. The Senator said he was prepared to vote for one to his liking. Did the Senator vote against the law that is on the statute books?

Mr. CORDON. I did.

Mr. BARKLEY. Very well; the Senator was against the law, and he is perfectly consistent. If he voted against giving the President this authority, he is consistent, I suppose, in voting against anything the President does under the authority.

Mr. CORDON. I am prepared to go with the President when any showing is made that is adequate.

Mr. BARKLEY. But the burden of proof seems to be on the President and everybody else to show that the Senator should vote for it.

Mr. President, I have no desire to consume further time. I hope the plan will be adopted.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. SMITH. I should like to know whether there is any haste for this legislation. I agree with what the Senator has said, that the President has the responsibility. I think the burden of proof is on those of us who are going to oppose his proposal to show reasons for our position, but we have not had a chance to study to see whether there are reasons. I desire to support the President, but I do not see how I can vote on something I have not had an opportunity to consider.

Mr. BARKLEY. The plan has been here since the 16th day of May, nearly 2 months ago. The President sent a message, which has been before us and has been on our desks, or it could be obtained. Long before the committee made any report upon it any Senator had opportunity to obtain the message and study it. We have been very busy on other things, and perhaps most of us have not done that; but that is not the fault of the President.

Mr. SMITH. I am not blaming anybody.

Mr. BARKLEY. I say to the Senator, in answer to his question about whether there is any haste necessary, that for years there has been an urgent need for what is proposed. There is always some degree of haste in trying to do a thing which should be done, especially in order to save money or bring about greater efficiency, and in that sense there is some need for haste. If we do not accept this program, as a matter of necessity any further program would have to go over until next year, and it might be a year from now, if we ever got another plan, before we would get one. So there is an element of urgency. Whether the Senator feels that it is haste or not, I do not know. I do not want Congress to act in haste, without due consideration, but for years and years there has been an insistent demand on the part of the American people and in the Halls of Congress that we eliminate some of these excrescences, these growths, these barnacles which have fastened on to the ship of state. This is a chance, I think, to do that in a very modest and mild degree. There is need for it. Whether there is what one may call need for haste or urgency is a matter of opinion.

Mr. SMITH. Mr. President, the only suggestion has been that, with the short time we have before us and the pressure we have been under, the Senate has not had an opportunity to give to this matter the study that it really deserves. My question is whether we would not be as well off if the legislation were offered at the beginning of the next session, when we will have time really to study

the subject, when we are not under the pressure of winding up emergency matters. The distinguished majority leader himself has asked us to deal with many emergency matters which have been before us constantly for the last several weeks. I realize the leader's position. I compliment him for what he has done. He has done a wonderful job. But here we are, at the eleventh hour, asked to deal with three vital plans of reorganization. Many questions have been raised with respect to them. I do not like to criticize the plans, for I do not know enough about them. That is my problem.

Mr. BARKLEY. I realize that we have been busy with other matters. I think that if the sum total of the work of this Congress is added up it will be found to be a rather impressive record of performance.

Mr. SMITH. I agree with the distinguished majority leader, and I compliment him on his leadership.

Mr. BARKLEY. I do not want to create the contrary impression. But taking the Senate as a whole, I do not think it has been denied an opportunity to study the plans submitted 2 months ago by the President.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. FERGUSON. On the question of haste, I should like to call the attention of the able majority leader to the fact that the consolidation of the Inspection Service with the Coast Guard was done under the emergency legislation, the War Powers Act, and that consolidation will continue in effect for 6 months after the end of the war. There is no need of haste with respect to that service, because the consolidation is now in effect. We can well wait until the first of the year to deal with the matter of reorganization because the period of 6 months after the termination of the war will not come to an end until after the first of the year. So there is no haste with respect to the Inspection Service, for fear that it might revert to its original status, because it is now under the authority of the Coast Guard. The act specifically provides, however, that such action cannot be made permanent. As the able Senator from New Jersey has stated, I believe there is no need for us to act in the next 2 days on these three very vital and important matters.

Mr. BARKLEY. Mr. President, the fact that the Steamboat Inspection Service has been, under a war measure, transferred to the Coast Guard and is now in the Coast Guard, and will remain there until 6 months after the end of the war, it seems to me is no reason why we should reject the plan of general reorganization. No one complains that the Inspection Service has not been efficiently administered under the Coast Guard. I have not heard any complaint of that kind. I suppose the Steamboat Inspection Service is like some other agencies in that it does not want to be transferred to some other agency or department; it wants to be known as the Steamboat Inspection Service, and not as a part of the Coast Guard.

Mr. McCARRAN. Mr. President, we would be confronted with that identical objection if the matter were to go over until a year from now or longer.

Mr. BARKLEY. Yes; if the matter went over for 5 years, the same objection would be raised, I am sure.

Mr. President, I shall not take further time. I hope the concurrent resolution reported by the Committee on the Judiciary will be rejected and that plan No. 3 will be approved by the Senate of the United States.

Mr. WILEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Bayden	O'Mahoney
Andrews	Hill	Overton
Anstin	Hoey	Pepper
Barkley	Huffman	Reed
Bridges	Johnson, Colo.	Revercomb
Briggs	Johnston, S. C.	Robertson
Brooks	Kilgore	Russell
Capehart	Knowland	Smith
Capper	La Follette	Stanfill
Chavez	Langer	Swift
Cordon	McCarran	Taft
Donnell	McClellan	Taylor
Downey	McMahon	Thomas, Okla.
Eastland	Magnuson	Thomas, Utah
Ferguson	Mead	Tunnell
George	Millikin	Wagner
Gerry	Mitchell	Wahsh
Gossett	Moore	Wherry
Green	Morse	White
Guffey	Murdock	Wiley
Gurney	Murray	Young
Hart	Myers	
Hawkes	O'Daniel	

The PRESIDING OFFICER. Sixty-seven Senators having answered to their names, a quorum is present.

The question is on the adoption of Senate Concurrent Resolution 66.

Mr. McKELLAR. Mr. President, I ask unanimous consent that a telegram I have received from Edward A. O'Neal, president of the American Farm Bureau Federation, regarding the President's reorganization plan No. 3, be printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., July 12, 1946.

Hon. KENNETH MCKELLAR,
Senate Office Building,
Washington, D. C.:

American Farm Bureau Federation strongly opposed to President's reorganization plan No. 3 because of provisions of section 501, which transfer the functions and programs of Agricultural Adjustment Administration, Surplus Marketing Administration, Commodity Credit Corporation, and Federal Crop Insurance Corporation to Secretary of Agriculture, and which would permit the Secretary to abolish these agencies completely and transfer their functions to any other agencies of the Department as he sees fit. American Farm Bureau Federation believes in economy in Government expenditures and favors administrative reorganizations where necessary to achieve economy and efficiency, but we do not believe it would be wise to give the Secretary of Agriculture such sweeping power over agencies originally established by act of Congress. We, therefore, respectfully urge favorable action on Senate Concurrent Resolution 66, disapproving the President's reorganization plan No. 4.

EDWARD A. O'NEAL,
President, American Farm
Bureau Federation.

Mr. WILEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILEY. As I understand, the Senate is about to vote on the concurrent resolution which provides that Congress does not favor the reorganization plan No. 3 transmitted to the Congress by the President on May 16, 1946; and not on the report of the Committee on the Judiciary.

The PRESIDING OFFICER. The Senator is correct. The question is on the Senate Concurrent Resolution 66.

Mr. BARKLEY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BARKLEY. The concurrent resolution is in the negative. The concurrent resolution proposes to reject the President's reorganization plan No. 3.

The PRESIDING OFFICER. The Senator is correct.

Mr. BARKLEY. A vote "nay" is a vote to approve the plan. A vote "yea" is a vote to disapprove the plan.

The PRESIDING OFFICER. To reject the plan.

Mr. BARKLEY. That is the effect of the vote.

The PRESIDING OFFICER. The Senator is correct.

Mr. McCARRAN. Under the rule, the House concurrent resolution, which is identical in language, is substituted for the Senate concurrent resolution.

The PRESIDING OFFICER. The Senator is correct. Whenever the Senate is ready to vote on the concurrent resolution, the House concurrent resolution, which is in exactly the same language, is substituted.

Mr. McCARRAN. Mr. President, so far as I am concerned I submit the question to the Senate with the hope that reorganization plan No. 3 will be adopted by the Senate, and that those who are in favor of adopting reorganization plan No. 3 will vote "nay" on the concurrent resolution now before the Senate.

Mr. WILEY. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to House Concurrent Resolution 154, which is as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress does not favor reorganization plan No. 3 of May 16, 1946, transmitted to Congress by the President on the 16th day of May 1946.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY] is absent because of illness.

The Senator from South Carolina [Mr. MAYBANK] and the Senator from Montana [Mr. WHEELER] are absent by leave of the Senate.

The Senator from Mississippi [Mr. BILBO], the Senator from Arizona [Mr. McFARLAND], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from Tennessee [Mr. STEWART] are detained on public business.

The Senator from Virginia [Mr. BYRD] is detained on official business.

The Senator from Tennessee [Mr. McCARRAN] is detained at an important committee meeting.

The Senator from Virginia [Mr. BURCH], the Senator from Nevada [Mr. CARVILLE], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Illinois [Mr. LUCAS] are necessarily absent.

The Senator from New Mexico [Mr. HATCH] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Louisiana [Mr. ELLENDER] and the Senator from Maryland [Mr. TYDINGS] are absent on official business, having been appointed to the commission on the part of the Senate to participate in the Philippine independence ceremonies.

The Senator from Texas [Mr. CONNALLY] is absent on official business, attending the Paris meeting of the Council of Foreign Ministers as an adviser to the Secretary of State.

On this question the Senator from South Carolina [Mr. MAYBANK] is paired with the Senator from Iowa [Mr. WILSON]. If present and voting, the Senator from South Carolina would vote "nay," and the Senator from Iowa would vote "yea."

On this question the Senator from Illinois [Mr. LUCAS] is paired with the Senator from Delaware [Mr. BUCK]. If present and voting, the Senator from Illinois would vote "nay," and the Senator from Delaware would vote "yea."

On this question the Senator from Arizona [Mr. MCFARLAND] is paired with the Senator from New Hampshire [Mr. TOBEY]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from New Hampshire would vote "yea."

Mr. WHERRY. The Senator from New Hampshire [Mr. TOBEY], who would vote "yea," is paired on this question with the Senator from Arizona [Mr. MCFARLAND], who would vote "nay." The Senator from New Hampshire is absent on official business.

The Senator from Delaware [Mr. BUCK], who would vote "yea," is paired on this question with the Senator from Illinois [Mr. LUCAS], who would vote "nay."

The Senator from Iowa [Mr. WILSON], who would vote "yea," is paired on this question with the Senator from South Carolina [Mr. MAYBANK], who would vote "nay."

The Senator from Minnesota [Mr. SHIPSTEAD] is absent by leave of the Senate. If present he would vote "yea."

The Senator from Michigan [Mr. VANDENBERG] is absent on official business, attending the Paris meeting of the Council of Foreign Ministers as an adviser to the Secretary of State. He has a general conference with the Senator from Texas [Mr. CONNALLY].

The Senator from Massachusetts [Mr. SALTONSTALL] is absent on official business, having been appointed a member of the President's Evaluation Commission in connection with the test of atomic bombs on naval vessels at Bikini.

The Senator from Iowa [Mr. RICKENLOOPER] is absent by leave of the Senate on official business as a member of the Special Committee on Atomic Energy.

The Senator from Nebraska [Mr. BUTLER] is absent on official business, being a member of the Commission appointed to attend the Philippine Independence ceremonies.

The Senator from Maine [Mr. BRAWSTER], the Senator from South Dakota [Mr. BUSHFIELD], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The result was announced—yeas 30, nays 37, as follows:

YEAS—30

Bridges	Johnson, Colo.	Reed
Brooks	Kilgore	Revercomb
Capehart	Langer	Robertson
Capper	Magnuson	Smith
Cordon	Mead	Stanfill
Donnell	Millikin	Thomas, Okla.
Ferguson	Moore	Waltch
Gerry	Morse	Wherry
Gurney	O'Daniel	Wiley
Hawkes	Pepper	Young

NAYS—37

Aiken	Hayden	Myers
Andrews	Hill	O'Mahoney
Austin	Hoy	Overton
Barkley	Huffman	Russell
Briggs	Johnston, S. C.	Swift
Chavez	Knowland	Taft
Downey	La Follette	Taylor
Eastland	McCarran	Thomas, Utah
George	McClellan	Tunnell
Gossett	McMahon	Wagner
Green	Mitchell	White
Gulley	Murdoch	
Hart	Murray	

NOT VOTING—29

Bailey	Connally	Saltonstall
Ball	Ellender	Shipstead
Bulbo	Fulbright	Stewart
Brewster	Hatch	Tobey
Buck	Hickenlooper	Tydings
Burch	Lucas	Vandenberg
Bushfield	McFarland	Whetler
Butler	McKellar	Willis
Byrd	Maybank	Wilson
Carville	Radcliffe	

So the concurrent resolution (H. Con. Res. 154) was rejected.

The PRESIDING OFFICER. Without objection, Senate Concurrent Resolution 66 will be indefinitely postponed.

REORGANIZATION PLAN NO. 2

Mr. MCCARRAN. Mr. President, I move that the Senate proceed to the consideration of Senate Concurrent Resolution 65.

The PRESIDING OFFICER. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring). That the Congress does not favor the reorganization plan No. 2 transmitted to Congress by the President on May 16, 1946.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

Mr. WILEY. Mr. President, I am interested in ascertaining if we can have some kind of understanding to limit the time of debate, so as to reach a vote on this resolution—

Mr. MCCARRAN. Mr. President, a point of order.

The PRESIDING OFFICER. The parliamentary situation is such that the

concurrent resolution should be before the Senate. The question is on agreeing to the motion of the Senator from Nevada [Mr. McCARRAN] to proceed to the consideration of Senate Concurrent Resolution 65.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution, which had been reported adversely by the Committee on the Judiciary.

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. MCCARRAN. I now yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I address myself to the majority leader and to the Senator from Nevada, to see if we can agree on a limitation of debate or fix an hour at which to vote on this particular resolution today or this evening.

Mr. MCCARRAN. Mr. President, so far as I am personally concerned, I will defer to the majority leader in that connection. However, I feel that the Senate may with entire security let the concurrent resolution go over until Monday. It will never be the policy of the chairman of the Committee on the Judiciary in a matter of this kind to attempt to force anything over without as much time for consideration as possible. The concurrent resolution can safely go over until Monday. I do not care to enter into any agreement as to time. We could well afford to let the concurrent resolution go over. No Senator would be denied the privilege of the floor, or the privilege of expressing himself fully, when the Senate reconvenes on Monday. That is my view in the matter, and that is my desire.

Mr. WILEY. Mr. President, I do not feel that I can speak for all Senators on this side of the aisle. I believe that if possible we should agree to fix a time to vote. I should be perfectly willing to agree to vote at not later than 2 o'clock on Monday. That would give us two hours on Monday to discuss the question. It would also give us an opportunity to rest over Sunday, and to become better acquainted with the issues. I prefer to limit the time for debate at this time to an hour or an hour and a half for each side, and then vote on the concurrent resolution today, thus disposing of reorganization plan No. 2. Then we could have Monday for reorganization plan No. 1, which is somewhat more controversial.

Mr. MCCARRAN. Mr. President, this body was in session until nearly 3 o'clock this morning. I think the Senator is to be congratulated upon having such a large attendance of Senators at the present time. I hope we shall not be compelled to remain in session for a discussion of reorganization plan No. 2 today. Neither do I wish to enter into an agreement as to limitation of debate. Let me say to the Senate and to the Senator in charge on the other side of the aisle that there will be no attempt to crowd this matter through on Monday. There will be no attempt to deny any Senator the right to the floor. So far as I am concerned, on Monday I shall explain reorganization plan No. 2 as

REORGANIZATION PLAN NO. 3 OF 1946

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 16, 1946, pursuant to the provisions of the Reorganization Act of 1945, approved December 20, 1945.

Transmitted May 16, 1946.
Effective July 16, 1946.
59 Stat. 613.
5 U. S. C., Supp. V.
§§ 1335-1337-16.

PART I. DEPARTMENT OF THE TREASURY

Section 101. *Functions transferred to the United States Coast Guard.*—

(a) There are hereby transferred to the Commandant of the Coast Guard those functions of the bureau, offices, and boards specified in the first sentence of section 104 of this plan, and of the Secretary of Commerce, which pertain to approval of plans for the construction, repair, and alteration of vessels; approval of materials, equipment, and appliances; classification of vessels; inspection of vessels and their equipment and appliances; issuance of certificates of inspection, and of permits indicating the approval of vessels for operations which may be hazardous to life or property; administration of load line requirements; enforcement of other provisions for the safety of life and property on vessels; licensing and certificating of officers, pilots, and seamen; suspension and revocation of licenses and certificates; investigation of marine casualties; enforcement of manning requirements, citizenship requirements, and requirements for the mustering and drilling of crews; control of log books; shipment, discharge, protection, and welfare of merchant seamen; enforcement of duties of shipowners and officers after accidents; promulgation and enforcement of rules for lights, signals, speed, steering, sailing, passing, anchorage, movement, and towlines of vessels and lights and signals on bridges; numbering of undocumented vessels; prescription and enforcement of regulations for outfitting and operation of motorboats; licensing of motorboat operators; regulation of regattas and marine parades; all other functions of such bureau, offices, and boards which are not specified in section 102 of this plan; and all other functions of the Secretary of Commerce pertaining to those functions of the agencies abolished under section 104 of this plan which are not specified in section 102 of this plan, including the remission and mitigation of fines, penalties and forfeitures incurred under the laws governing these functions and those incurred under the Act of December 17, 1941, 55 Stat. 808, as amended.

(b) The functions relating to the award of numbers to undocumented vessels vested by law in the Collectors of Customs are hereby transferred to the Commandant of the Coast Guard.

Sec. 102. *Functions transferred to Bureau of Customs.*—There are hereby transferred to the Commissioner of Customs those functions of the bureau, offices, and boards specified in the first sentence of section 104 of this plan, and of the Secretary of Commerce, which pertain to registry, enrollment, and licensing of vessels, including the issuance of commissions to yachts, the assignment of signal letters, and the preparation of all reports and publications in connection therewith; measurement of vessels, administration of tonnage duties, and collection of tolls; entry and clearance of vessels and aircraft, regulation of vessels in the coasting and fishing trades, and limitation of the use of foreign vessels in waters under the jurisdiction of the United States;

47 U. S. C., Supp.
V, § 252 note.

46 U. S. C., Supp.
V, app. 160; note.

recording of sales, conveyances, and mortgages of vessels; protection of steerage passengers; all other functions of such bureau, offices, and boards which were performed by the Bureau of Customs on behalf thereof immediately prior to the effective date of Executive Order No. 9083 of February 28, 1942 (7 F. R. 1609); and the power to remit and mitigate fines, penalties and forfeitures incurred under the laws governing these functions.

Sec. 103. *Powers of the Secretary of the Treasury.*—The functions transferred by sections 101 and 102 of this plan may be performed through such officers and employees of the United States Coast Guard and the Bureau of Customs, respectively, as may be designated by the Commandant of the Coast Guard and the Commissioner of Customs, respectively, and shall be performed subject to the direction and control of the Secretary of the Treasury except as otherwise required by law with respect to the United States Coast Guard whenever it operates as a part of the Navy.

Sec. 104. *Abolition of agencies.*—The Bureau of Marine Inspection and Navigation, the office of the director thereof, the offices of supervising inspectors, principal traveling inspectors, local inspectors, assistant inspectors, shipping commissioners, deputy shipping commissioners, and the Board of Supervising Inspectors, the Boards of Local Inspectors, the Marine Casualty Investigation Board, and the Marine Boards are hereby abolished. The Secretary of the Treasury shall provide for winding up those affairs of the said abolished agencies which are not otherwise disposed of herein.

PART II. DEPARTMENT OF WAR AND DEPARTMENT OF THE NAVY

Sec. 201. *Functions with respect to certain insane persons.*—(a) The functions of Saint Elizabeths Hospital and the superintendent thereof, and of the Federal Security Agency and the Federal Security Administrator, with respect to the care, treatment, and custody of insane persons as provided in section 4843 of the Revised Statutes (24 U. S. C. 191) are hereby transferred or abolished as follows:

(1) Functions with respect to insane persons belonging to the Army or falling, by reason of employment or service in the Army, within any of the categories enumerated in said section, are transferred to the Secretary of War and shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of War as he may designate.

(2) Functions with respect to insane persons belonging to the Navy or falling, by reason of prior service in the Navy, within any of the categories enumerated in said section, are transferred to the Secretary of the Navy and shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of the Navy as he may designate. (For the purposes of this subparagraph (2), the Marine Corps but not the Coast Guard is included in the Navy.)

(3) Functions with respect to insane persons belonging to the Coast Guard are abolished.

(b) Nothing in subsection (a) of this section shall affect the functions and authority of Saint Elizabeths Hospital, the superintendent thereof, the Federal Security Agency, or the Federal Security Administrator with respect to any person heretofore admitted to Saint Elizabeths Hospital and a patient therein on the effective date of this plan under the provisions of section 4843 of the Revised Statutes, or the functions and authority of said officers and agencies or of the Public Health Service with respect to Coast Guard members as beneficiaries of the Public Health Service, as provided by section 504 of the Public Health Service Act (58 Stat. 710, 42 U. S. C. 222).

24 U. S. C. § 191.

42 U. S. C., Supp.
V, § 222.

PART III. DEPARTMENT OF THE NAVY

Sec. 301. *Hydrographic Office and Naval Observatory.*—The Hydrographic Office and the Naval Observatory, together with their respective functions, are hereby transferred from the Bureau of Naval Personnel, Department of the Navy, to the Chief of Naval Operations and shall be administered, subject to the direction and control of the Secretary of the Navy, under the Chief of Naval Operations.

Sec. 302. *Supply Department of the United States Marine Corps.*—The Paymaster's Department of the United States Marine Corps and the Quartermaster's Department of the United States Marine Corps, and the functions of such departments, are hereby consolidated to form a single new agency, which shall be known as the Supply Department of the United States Marine Corps, and at the head of which there shall be the Quartermaster General of the Marine Corps. The office and title of "The Paymaster General of the Marine Corps" provided for in the Act of March 24, 1944 (58 Stat. 121) are hereby abolished.

34 U. S. C., Supp. V, § 625b and note.

PART IV. DEPARTMENT OF THE INTERIOR

Sec. 401. *Certain functions with respect to the Franklin D. Roosevelt Library.*—The following functions are hereby transferred to the Secretary of the Interior and shall be performed, subject to his direction and control, by such officers and agencies of the Department of the Interior as he may designate:

(a) The functions of the Commissioner of Public Buildings, under section 206 of the Act of July 18, 1939, 53 Stat. 1062, with respect to the care, maintenance, and protection of the buildings and grounds of the Franklin D. Roosevelt Library.

53 Stat. 1064.

(b) The functions of the Archivist of the United States, under section 207 of the said Act, with respect to the collection of fees from persons visiting and viewing the exhibit rooms or museum portion of said Library, excluding the fixing of charges to be collected but including the making of all other regulations with respect to such collection. (Any funds derived from such fees shall be paid, held, administered, and expended in consonance with the proviso in said section 207.)

53 Stat. 1065.

Sec. 402. *Functions relating to mineral deposits in certain lands.*—The functions of the Secretary of Agriculture and the Department of Agriculture with respect to the uses of mineral deposits in certain lands pursuant to the provisions of the Act of March 4, 1917 (39 Stat. 1134, 1150, 16 U. S. C. 520), Title II of the National Industrial Recovery Act of June 16, 1933, (48 Stat. 195, 200, 202, 205, 40 U. S. C. 401, 403 (a) and 408), the 1935 Emergency Relief Appropriation Act of April 8, 1935 (48 Stat. 115, 118), section 55 of Title I of the Act of August 24, 1935 (49 Stat. 750, 781), and the Act of July 22, 1937 (50 Stat. 522, 525, 530), as amended July 28, 1942 (56 Stat. 725, 7 U. S. C. 1011 (c) and 1018), are hereby transferred to the Secretary of the Interior and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of the Interior as he may designate: *Provided*, That mineral development on such lands shall be authorized by the Secretary of the Interior only when he is advised by the Secretary of Agriculture that such development will not interfere with the primary purposes for which the land was acquired and only in accordance with such conditions as may be specified by the Secretary of Agriculture in order to protect such purposes. The provisions of law governing the crediting and distribution of revenues derived from the said lands shall be applicable to revenues derived in connection with the

49 Stat. 115.

7 U. S. C., Supp. V, § 1011 (c).
Act, p. 1068.

functions transferred by this section. To the extent necessary in connection with the performance of the functions transferred by this section, the Secretary of the Interior and his representatives shall have access to the title records of the Department of Agriculture relating to the lands affected by this section.

Sec. 403. *Bureau of Land Management.*—(a) The functions of the General Land Office and of the Grazing Service in the Department of the Interior are hereby consolidated to form a new agency in the Department of the Interior to be known as the Bureau of Land Management. The functions of the other agencies named in subsection (d) of this section are hereby transferred to the Secretary of the Interior.

(b) There shall be at the head of such Bureau a Director of the Bureau of Land Management who shall be appointed by the Secretary of the Interior under the classified civil service, who shall receive a salary at the rate of \$10,000 per annum, and who shall perform such duties as the Secretary of the Interior shall designate.

(c) There shall be in the Bureau of Land Management an Associate Director of the Bureau of Land Management and so many Assistant Directors of the Bureau of Land Management as may be necessary, who shall be appointed by the Secretary of the Interior under the classified civil service and subject to the Classification Act of 1923, as amended, and who shall perform such duties as the Secretary of the Interior may prescribe.

(d) The General Land Office, the Grazing Service, the offices of Commissioner of the General Land Office, Assistant Commissioner of the General Land Office, Director of the Grazing Service, all Assistant Directors of the Grazing Service, all Registers of the District Land Offices, and United States Supervisor of Surveyors, together with the Field Surveying Service now known as the Cadastral Engineering Service, are hereby abolished.

(e) The Bureau of Land Management and its functions shall be administered subject to the direction and control of the Secretary of the Interior, and the functions transferred to the Secretary by subsection (a) of this section shall be performed by the Secretary or, subject to his direction and control, by such officers and agencies of the Department of the Interior as he may designate.

PART V. DEPARTMENT OF AGRICULTURE

Sec. 501. *Functions of certain agencies of the Department of Agriculture.*—The following functions are hereby transferred to the Secretary of Agriculture and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of Agriculture as he shall designate:

(a) All functions of the Agricultural Adjustment Administration and the Surplus Marketing Administration and of the respective heads of such Administrations.

(b) The administration of the programs of the Federal Crop Insurance Corporation and the Commodity Credit Corporation.

PART VI. DEPARTMENT OF COMMERCE

Sec. 601. *Certain functions of National Bureau of Standards.*—The following functions are hereby transferred to the Secretary of Commerce and shall be performed, subject to his direction and control, by such officers and agencies of the Department of Commerce as he may designate:

42 Stat. 1488.
5 U. S. C. § 661-
674; Supp. V, § 661
et seq.
Ante, pp. 216, 218.

functions transferred to this section. To the extent necessary in connection with the performance of the functions transferred to the Secretary of the Interior and his assistants shall have authority to use the funds of the Department of Agriculture in the same manner as the Secretary of the Interior may use the funds of the Department of the Interior. The Secretary of the Interior may also use the funds of the Department of the Interior for the purpose of carrying out the functions of the Secretary of the Interior transferred to the Secretary of the Interior.

(c) There shall be at the head of each Bureau a Director of the Bureau of Land Management who shall be appointed by the Secretary of the Interior and shall receive a salary at the rate of \$10,000 per annum, and who shall perform such duties as the Secretary of the Interior shall determine.

(d) There shall be in the Bureau of Land Management an Associate Director of the Bureau of Land Management and so many Assistant Directors of the Bureau of Land Management as may be necessary, who shall be appointed by the Secretary of the Interior under the provisions of the Civil Service Act of 1938, and subject to the provisions of the Civil Service Act of 1938, and shall perform such duties as the Secretary of the Interior may determine.

(e) The Chief of the Office of the Secretary of the Interior shall be the Chief of the Office of the Secretary of the Interior, and shall be appointed by the President of the United States, and shall perform such duties as the President of the United States may determine. The Chief of the Office of the Secretary of the Interior shall be the Chief of the Office of the Secretary of the Interior, and shall be appointed by the President of the United States, and shall perform such duties as the President of the United States may determine.

(f) The Secretary of the Interior shall be the Secretary of the Interior, and shall be appointed by the President of the United States, and shall perform such duties as the President of the United States may determine. The Secretary of the Interior shall be the Secretary of the Interior, and shall be appointed by the President of the United States, and shall perform such duties as the President of the United States may determine.

Part V Department of Agriculture

(a) The Secretary of the Department of Agriculture shall be the Secretary of the Department of Agriculture, and shall be appointed by the President of the United States, and shall perform such duties as the President of the United States may determine. The Secretary of the Department of Agriculture shall be the Secretary of the Department of Agriculture, and shall be appointed by the President of the United States, and shall perform such duties as the President of the United States may determine.

(b) The administration of the programs of the Federal Crop Insurance Corporation shall be the responsibility of the Secretary of the Department of Agriculture.

Part VI Department of Commerce

(a) The Secretary of the Department of Commerce shall be the Secretary of the Department of Commerce, and shall be appointed by the President of the United States, and shall perform such duties as the President of the United States may determine. The Secretary of the Department of Commerce shall be the Secretary of the Department of Commerce, and shall be appointed by the President of the United States, and shall perform such duties as the President of the United States may determine.

(a) Those functions of the National Bureau of Standards under section 2 of the Act of March 3, 1901 (31 Stat. 1449) which are now performed by the Division of Commercial Standards of said Bureau, namely, (1) to assist, coordinate, and cooperate with groups of consumers, distributors or producers, technical organizations, and other persons, in the voluntary establishment, maintenance, recording, publishing and promoting of commercial standards as a nationally and internationally recognized basis for testing, grading, labeling, marketing, guaranteeing, or accepting staple, manufactured commodities moving in daily domestic and foreign trade, and (2) to assist in the development of Federal purchase standards specifications and in providing information to the public and the Government of such standards and specifications.

15 U. S. C. § 272

(b) Those functions of said Bureau under said section 2 which are now performed by the Division of Simplified Trade and Practices of said Bureau, namely, to assist, coordinate, and cooperate with individual and groups of producers, distributors, and users in establishing, recording, publishing, and promoting a nation-wide program for the elimination of avoidable waste through the formulation of simplified trade practice recommendations which identify and list the sizes, types, dimensions, and varieties of products that are in national demand in the country, including but not limited to simplified trade practice recommendations concerning the following commodities: wood, textiles, paper and rubber products, metal and mechanical products, containers and miscellaneous products, materials handling equipment, ceramic products, electrical products, construction materials, and metal and woodworking tools.

(c) So much of the functions of the Director of said Bureau as relates to the foregoing activities.

PART VII. NATIONAL LABOR RELATIONS BOARD

Sec. 701. *Strike ballots under War Labor Disputes Act.*—The functions of the National Labor Relations Board under section 8 of the War Labor Disputes Act (57 Stat. 162, 167, ch. 144) with respect to taking secret ballots of employees on the question of an interruption of war production are hereby abolished.

57 Stat. 163, 167.
60 U. S. C., Supp.
V, app. § 1508.

PART VIII. SMITHSONIAN INSTITUTION

Sec. 801. *Canal Zone Biological Area.*—The functions of the Board of Directors of the Canal Zone Biological Area (which Board is provided for in the Act of July 2, 1940, 54 Stat. 724, ch. 516), together with the functions of the executive officer of such Board, are hereby transferred to the Smithsonian Institution. The said Board of Directors and the office of the said executive officer are hereby abolished.

46 U. S. C. §§ 1361-1367.

PART IX. UNITED STATES EMPLOYMENT SERVICE

Sec. 901. *Placement functions under Selective Training and Service Act of 1940.*—There is hereby transferred to the United States Employment Service so much of the functions of the Selective Service System and of the Director of Selective Service under section 8(g) of the Selective Training and Service Act of 1940 (54 Stat. 890, ch. 720) as relates to aiding persons who have satisfactorily completed any period of active duty or of training and service under the said Act in securing positions other than the positions held by them prior to said period.

54 Stat. 891.
50 U. S. C. app.
§ 208(g).

PART X. RECORDS, PROPERTY, PERSONNEL, AND FUNDS

Sec. 1001. *Transfer of records, property, personnel, and funds.*—There are hereby transferred to the respective agencies in which functions are vested pursuant to the provisions of this plan, to be used, employed, and expended in connection with such functions, respectively, or in connection with winding up the outstanding affairs of agencies abolished by this plan, (1) the records and property now being used or held in connection with such functions, (2) the personnel employed in connection with such functions, and (3) the unexpended balances of appropriations, allocations, or other funds available or to be made available for use in connection with such functions.

Sec. 1002. *Disposition of excess personnel.*—Any of the personnel transferred under this plan which the transferee agency shall find to be in excess of the personnel necessary for the administration of the functions transferred to such agency by such plan shall be retransferred under existing law to other positions in the Government or separated from the service.

Sec. 1003. *Dispositions by Director of the Bureau of the Budget.*—Such further measures and dispositions as the Director of the Bureau of the Budget shall determine to be necessary in order to effectuate the provisions of this Part or in order to wind up the outstanding affairs relating to agencies or functions abolished by this plan shall be carried out in such manner as the Director may direct and by such agencies as he may designate.

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